

**Cooper City Commission Meeting
Agenda Item Request Form**

Commission Meeting/Workshop Date: February 20, 2019

Requesting Department: Administration

Subject: New County Transportation Surtax

Section:

Presentation

Consent

Regular

Discussion

Background and Recommendation (attach backup material to Item Request Form):

Resolution No. 19-2-2 relates to the County Transportation Surtax and the proposed Interlocal Agreement with cities that calls for the Metropolitan Planning Organization (MPO) to review, rank, and prioritize municipal transportation projects. The County has prepared a draft Agreement and Scope of Services between the MPO and Broward County with County Commission approval expected in March of this year. Coordination with the municipalities will begin in September where projects will be ranked for final transmittal to the Broward County Commission anticipated for February of 2020.

At this time, the County and MPO are asking for municipal support of the ILA through the approval of a resolution and for each city to review their projects with staff and elected officials. The review should include considerations such as project readiness; community and Commission support; staff readiness to manage the project; and a focus on one or two priority projects.

General Ledger Account Number(s) and Amount(s):

Approvals:

Finance Director _____

City Manager _____

City Clerk _____

RESOLUTION NO. 19-2-2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, 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 (10%) OF THE PROCEEDS OF THE TRANSPORTATION SURTAX WILL BE DISTRIBUTED TO THE MUNICIPALITIES PRO RATA BASED UPON POPULATION; DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 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 20, 2018 the City Commission adopted

Resolution No. 18-9-7, approving the Agreement; and

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

WHEREAS, the City Commission urges 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.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Cooper City, Florida:

Section 1: The foregoing recitals 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 (10%) 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. Conflicts. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 6. Severability. 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 holding shall in no way affect the validity of the remaining portions of this resolution.

Section 7. Effective Date. This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED this ____ day of _____, 2019

GREG ROSS
Mayor

ATTEST:

KATHRYN SIMS
City Clerk

APPROVED AS TO LEGAL FORM:

OFFICE OF THE CITY ATTORNEY

Preparing for the New Surtax – *MPO Transportation Surtax Support Services*

Broward County City Managers' Association
January 17, 2019

Gregory Stuart
Executive Director



Transportation Surtax

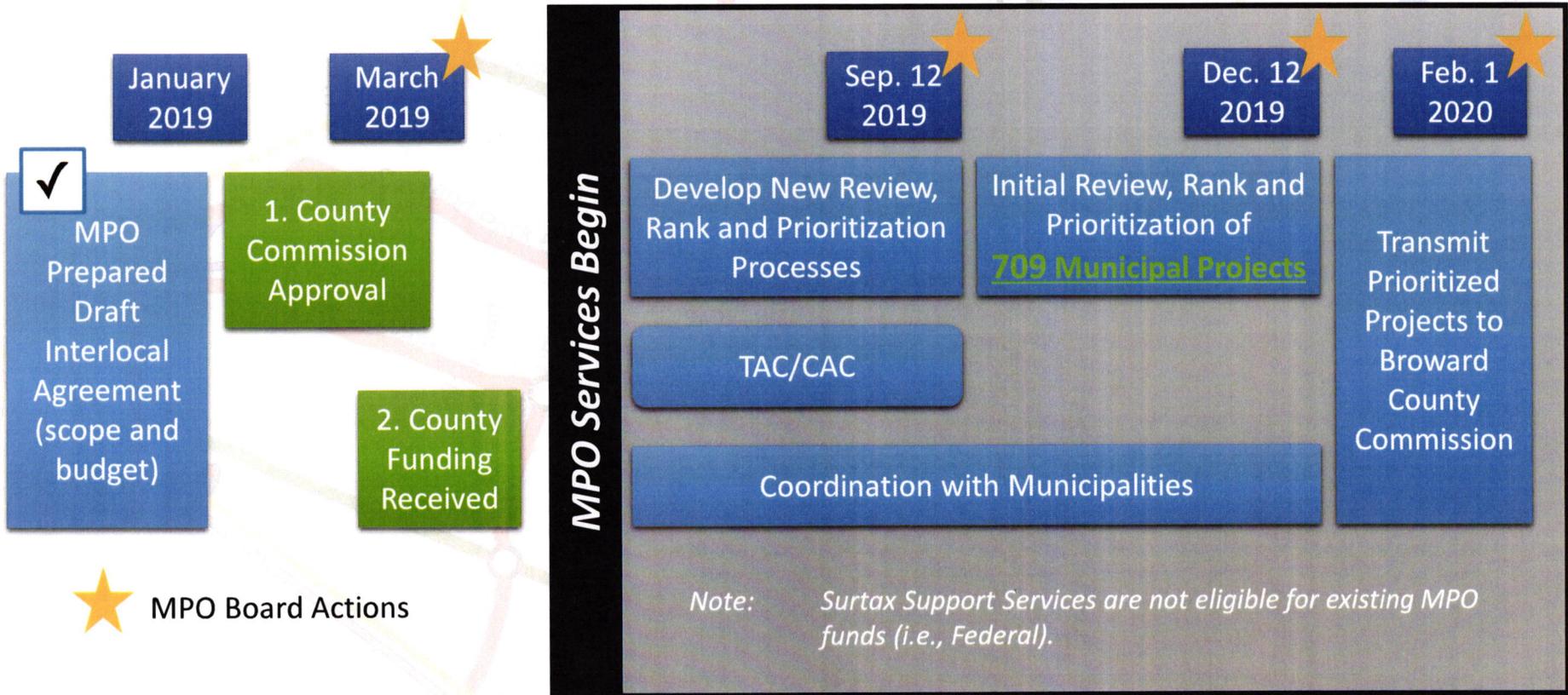
- County ***Surtax Ordinance*** and ***County, Municipal and MPO Interlocal Agreement*** both call for MPO to review, rank and prioritize municipal projects.
 - Key exception is new community shuttle, which is not prioritized by MPO but counts against available “local” surtax funds.
- First deadline is February 1, 2020, with December 2019 MPO Board approval target date.
- 709 Submitted “Local Projects”
- Significant first year funding

How do we move forward...

MPO has prepared **DRAFT Interlocal Agreement** and **Scope of Services** between MPO and County:

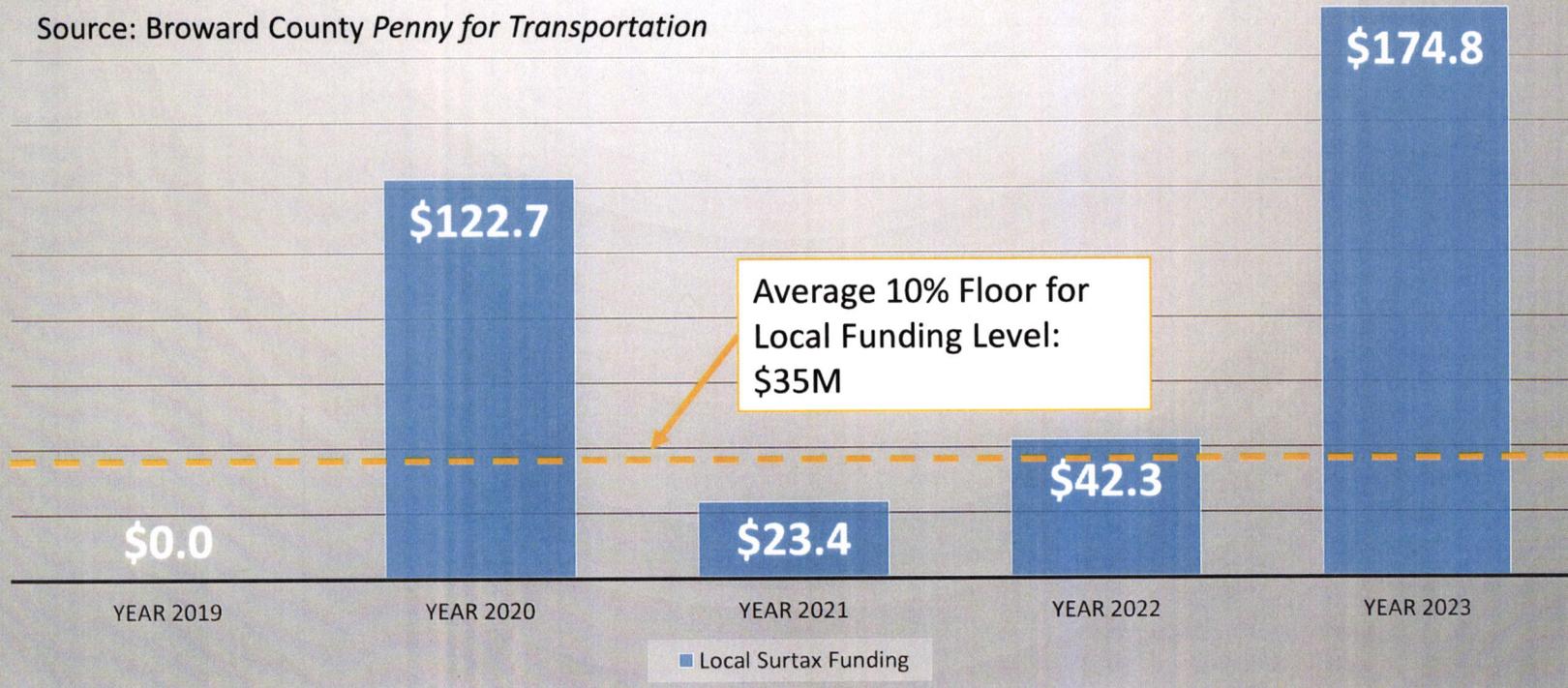
- Initial Services
- Core Services
- Optional Services
- Time is of the essence...

Transportation Surtax Support Services

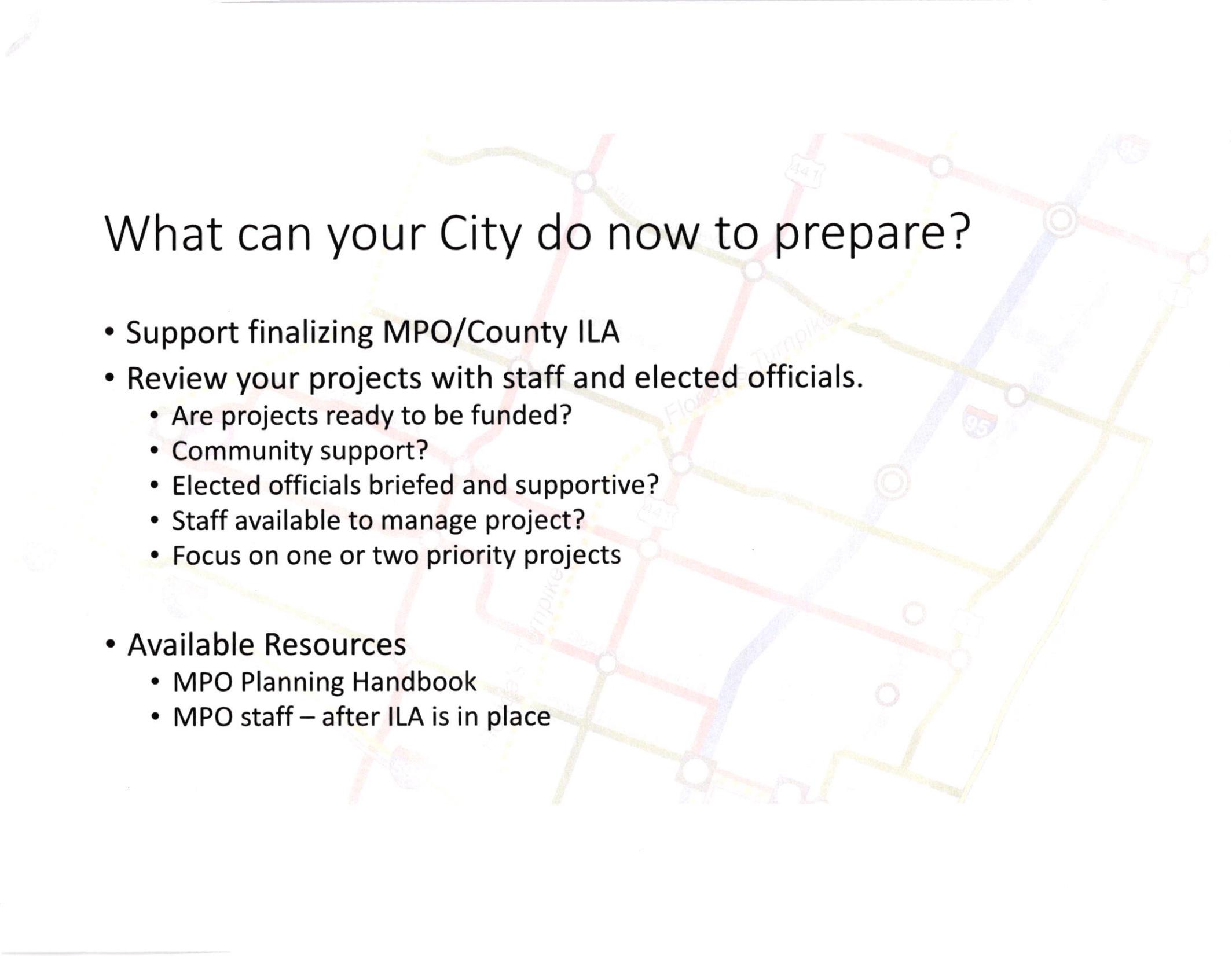


First Five Years of Local Surtax Funding (Millions of \$s)

Source: Broward County *Penny for Transportation*



What can your City do now to prepare?



- Support finalizing MPO/County ILA
- Review your projects with staff and elected officials.
 - Are projects ready to be funded?
 - Community support?
 - Elected officials briefed and supportive?
 - Staff available to manage project?
 - Focus on one or two priority projects
- Available Resources
 - MPO Planning Handbook
 - MPO staff – after ILA is in place