

RESOLUTION NO. 01-08-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MONROE COUNTY FOR LOCAL OPTION GAS TAX REVENUES; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO FINALIZE THE TERMS AND CONDITIONS OF SAID AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to enter into an Agreement with Monroe County for Local Option Gas Tax Revenues; and

WHEREAS, pursuant to Section 9(8) of Chapter 99-427, Law of Florida, the City is entitled to receive a proportionate share of local option gas tax revenues collected in Monroe County starting July 1, 2000; and

WHEREAS, pursuant to Section 336.025(4)(b), *Florida Statutes*, the percentage of gas tax revenues payable to a new city upon its first year of existence is based upon a statutory lane mile formula; and

WHEREAS, the parties desire to enter into this Agreement to specify the statutory amounts that the City is entitled to for the term of this Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Agreement between Monroe County and the City of Marathon in substantially the form and substance that is attached as Exhibit "A" is hereby approved. The City Manager and the City Attorney are authorized to finalize the terms

SCANNED

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and conditions of said Agreement, if needed, and the Mayor is authorized to execute the Agreement on behalf of the City.

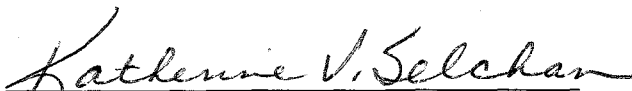
Section 3. **Effective Date.** This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 1st day of August, 2001.



ROBERT MILLER, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY

PCDocs #3741v1

INTERLOCAL AGREEMENT

City of Marathon

This is an Interlocal Agreement between Monroe County , Florida, a political subdivision of the State of Florida (the "County") and the City of Marathon, Florida, a municipal corporation of the State of Florida (the "City"), entered into this 20th day of June, 2001, (the or this "Agreement").

WHEREAS, pursuant to Chapter 99-427, Laws of Florida, the City was incorporated on, November 30, 1999, and became operational February 24, 2000; and

WHEREAS, pursuant to Section 9(8) of Chapter 99-427, Laws of Florida, the City is entitled to receive a proportionate share of local option gas tax revenues collected in Monroe County starting July 1, 2000; and

WHEREAS, pursuant to Section 336.025(4)(b), Florida Statutes, the percentage of gas tax revenues payable to a new city upon its first year of existence is based upon a statutory lane mile formula; and

WHEREAS, the parties desire to enter into this Agreement to specify the statutory amounts that the City is entitled to for the term of this Agreement; now therefore,

THE PARTIES AGREE as follows:

Section 1. This Interlocal Agreement shall apply to funding starting July 1, 2001, through September 30, 2004.

Section 2. The State of Florida, Department of Revenue is authorized to distribute directly to the City its statutory share of gas tax revenues.

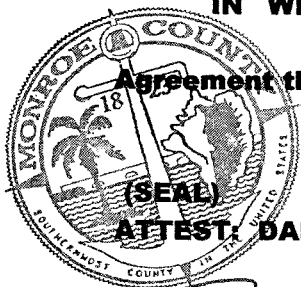
Section 3. The City shall receive \$273.733.38 in gas tax revenues for each fiscal year during the term of this Agreement.

Section 4. Distributions of the local option gas tax to the City in later fiscal years shall be pursuant to a formula set forth in an Interlocal Agreement entered into under Section 336.025(3)(a)(1), Florida Statutes.

Section 5. Pursuant to Section 163.01, Florida Statutes, the parties are authorized to enter into the Interlocal Agreement.

Section 6. This Interlocal Agreement will take effect when certified copies are filed with the Clerk of the Circuit Court and the City Clerk.

IN WITNESS WHEREOF the parties hereto have executed this Interlocal Agreement the day and year written below.



(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

By *James L. Hancock*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *George R. Neugart*
Mayor/Chairman

Approved as to form
and legal sufficiency:

By _____

Date *June 20, 2001*

(SEAL)
Attest:

By *Katherine V. Selchan*
City Clerk

CITY OF MARATHON, FLORIDA

By *[Signature]*
Robert Miller, Mayor

Approved as to form
and legal sufficiency:

By *Nina Baishe*

Date *August 1, 2001*

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APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY *[Signature]*
ROBERT N. WOLFE
DATE *6-6-01*



BOARD OF COUNTY COMMISSIONERS

Mayor George Neugent, District 2
Mayor Pro Tem Nora Williams, District 4
Murray Nelson, District 5
Dixie Spehar, District 1
Charles McCoy, District 3

Office of the County Attorney

PO Box 1026
Key West, FL 33041-1026
305/292-3470 - Phone
305/292-3516 - Fax



LETTER OF TRANSMITTAL

DATE: August 14, 2001

TO: Katey Selchan
Marathon City Clerk
%MOYER & ASSOCIATES/SEVERN TRENT SERVICES
210 North University Drive #301
Coral Springs, FL 33071

FROM: Jan Hotalen
Paralegal

RE: Interlocal Agreement Monroe County and the City of Marathon for
Local Option Gas Tax Revenues

Enclosed please find a fully executed duplicate original of the above referenced document for your files.

Thank you for your assistance in this matter.

