

AMENDMENT TWO TO LOCAL OPTION GAS TAX SHARING INTERLOCAL AGREEMENT

THIS AMENDMENT TWO TO THE LOCAL OPTION GAS TAX SHARING INTERLOCAL AGREEMENT is made and entered into as of this 15th day of June 2022, between **Monroe County**, a political subdivision of the State of Florida, (hereinafter the COUNTY), and the **City of Key West**, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter Key West) and the **City of Key Colony Beach**, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter Key Colony Beach); and the **City of Layton**, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter Layton); and the **City of Marathon**, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter Marathon), and the **City of Islamorada, The Village of Islands**, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter Islamorada) or collectively referred to as CITIES.

WHEREAS, the CITIES and the COUNTY entered into a Local Option Gas Tax Sharing Interlocal Agreement (herein after referred to as “ILA”) dated May 20, 2009 in accordance with F.S. 336.025 setting forth a distribution formula for dividing the 6-cents and 5-cents proceeds of the gas tax among the County and all eligible municipalities within Monroe County; and

WHEREAS, in accordance with F.S. 336.025(1)(d), the ILA was amended August 19, 2020 to add a provision for periodic review whereby the local government entities will meet every two years to review and evaluate the method of distribution in accordance with the Statute; and

WHEREAS, the County and Cities representatives have met and agreed to update the distribution formula for the 5-cent local option gas tax distribution that is based upon population to include the 2020 census data and to incorporate the transportation expenditures for each local government for the last five fiscal years for the 6-cent local option gas tax distribution; and

WHEREAS, Section 10. NOTICES of the ILA will be amended and updated to reflect the individuals currently holding COUNTY and CITY positions;

NOW THEREFORE, in consideration of the mutual promises and conditions contained herein, the parties agree to amend the ILA as follows:

1. Section 3. Revenue Share Allocation shall be amended to read as follows:

SECTION 3. REVENUE SHARE ALLOCATION

All parties agree that the distribution of the 6-cent local option gas tax, imposed by County *Ordinance No. 016-1989*, as amended by *Ordinance No. 026-1989* and as extended by *Ordinance No. 033-2019* and authorized under Sec. 336.025(1)(a), Florida Statute shall be distributed based upon the transportation expenditures for the last five fiscal year among the COUNTY and CITIES as follows:

	<u>Distribution</u>
City of Key West	28.3%
City of Key Colony Beach	0.5%

City of Layton	0.12%
City of Marathon	5.3%
The Village of Islamorada	9.2%
Monroe County	56.5%

B. All the parties agree that the 5-cent local option gas tax, imposed by County *Ordinance No. 016-2009* and *Ordinance No. 029-2020*, and authorized under Sec. 336.025(1)(b), Florida Statute shall be distributed based upon population (current 2020 census data) among the COUNTY and CITIES as follows:

	<u>Distribution</u>
City of Key West	31.91%
City of Key Colony Beach	0.95%
City of Layton	0.25%
City of Marathon	11.69%
The Village of Islamorada	8.58%
Monroe County	46.62%

2. Section 10 of the ILA shall be amended as follows:

SECTION 10. NOTICES. Notices in this Agreement, unless otherwise specified, must be sent by certified mail to the following:

COUNTY:

County Administrator Roman Gastesi
 1100 Simonton Street
 Key West, FL 33040

County Attorney Robert B. Shillinger
 P. O. Box 1026
 Key West, FL 33041

KEY COLONY BEACH:

City Manager Dave Turner
 P.O. Box 510141
 Key Colony Beach, FL 33051

Mr. Dirk Smits, Esq
 City Attorney for Key Colony Beach
 81990 Overseas Highway, Third Floor
 Islamorada, FL 33036

MARATHON:

George Garrett , City Manager &
 City Attorney Steve Williams
 9805 Overseas Highway
 Marathon, FL 33050

ISLAMORADA:

City Manager &
Roget V. Bryan, Village Attorney
86800 Overseas Highway
Islamorada, FL 33036

LAYTON:

Mayor Bruce Halle
PO Box 778
Long Key, FL 33001

Mr. Dirk Smits, Esq
City Attorney for Layton
81990 Overseas Highway, Third Floor
Islamorada, FL 33036

KEY WEST:

City Manager-Patti McLauchlin &
City Attorney Shawn Smith
P. O. Box 1409
Key West, FL 33041

- 3. All other terms and conditions of the ILA dated May 20, 2009, as amended, remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

(SEAL)
KEVIN MADOK, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
As Deputy Clerk

By: _____
Mayor/Chairperson

The Remainder of this page Intentionally Left Blank

(SEAL)
ATTEST:

CITY OF KEY WEST

By: _____
Clerk

By: _____
Mayor

The Remainder of this page Intentionally Left Blank

(SEAL)
ATTEST:

CITY OF KEY COLONY BEACH

By: _____
Clerk

By: _____
Mayor

The Remainder of this page Intentionally Left Blank

(SEAL)
ATTEST:

CITY OF LAYTON

By: _____
Clerk

By: _____
Mayor

The Remainder of this page Intentionally Left Blank

(SEAL)
ATTEST:

CITY OF MARATHON

By: _____
Clerk

By: _____
Mayor

The Remainder of this page Intentionally Left Blank

(SEAL)

CITY OF ISLAMORADA, VILLAGE OF
ISLANDS

ATTEST:

By: _____
Clerk

By: _____
Mayor

The Remainder of this page Intentionally Left Blank