

Sponsored by: Janke

**CITY OF MARATHON, FLORIDA
RESOLUTION 2004-066**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, APPROVING AN INTERLOCAL
AGREEMENT WITH MONROE COUNTY FOR RECEIPT OF LOCAL
OPTION GAS TAX REVENUES**

WHEREAS, pursuant to Section 9(8) of Chapter 99-427, Laws of Florida, the City of Marathon, Florida (the "City") is entitled to a percentage of local option gas tax revenues allotted to Monroe County.

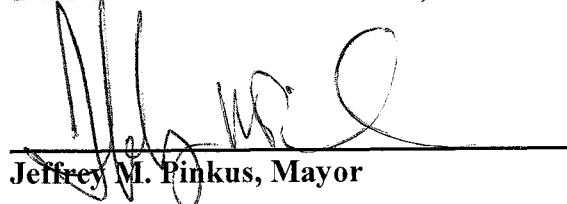
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The Interlocal Agreement between Monroe County and the City (the "Interlocal Agreement"), in the form attached as Exhibit "A," is approved. The Mayor is authorized to execute the Agreement.

Section 2. This Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 22nd day of June, 2004.

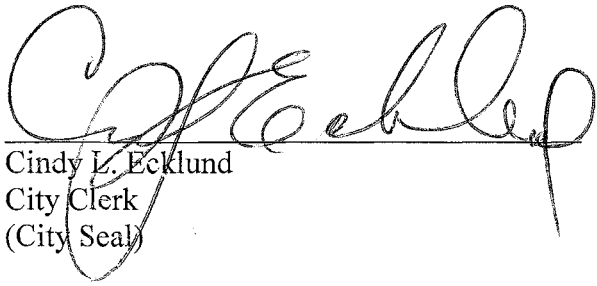
THE CITY OF MARATHON, FLORIDA



Jeffrey M. Pinkus, Mayor

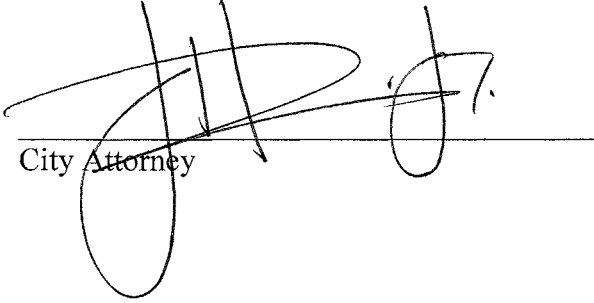
AYES: Bartus, Bull, Mearns, Miller, Pinkus
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

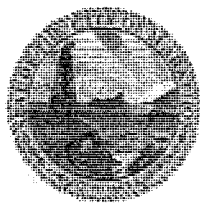


Cindy L. Ecklund
City Clerk
(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney



CITY OF MARATHON, FLORIDA

10045-55 Overseas Highway, Marathon, Florida 33050
Phone: (305) 743-0033 Fax: (305) 743-3667

June 24, 2004

Public Works Division
Attn: Dent Pierce, Director
1100 Simonton Street, Room 2-231
Key West, FL 33040

Dear Mr. Pierce:

Enclosed you will find the three executed original Interlocal Agreements regarding the local option gas tax revenue that your office sent to the City on June 2nd. I have also enclosed a copy of the City of Marathon's Resolution 2004-006 for your records.

I will look forward to receiving a fully-executed copy upon BOCC approval.

Should you have any questions, or need anything additional, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Clara Perrine".

Clara Perrine
Administrative Assistant to
City Clerk/HR Officer
City of Marathon

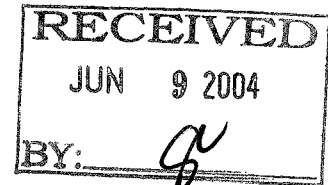
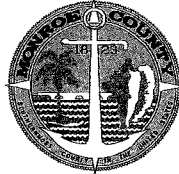


BOARD OF COUNTY COMMISSIONERS

Mayor Murray E. Nelson, District 5
Mayor Pro Tem David P. Rice, District 4
Dixie M. Spehar, District 1
George Neugent, District 2
Charles "Sonny" McCoy, District 3

Public Works Division

1100 Simonton St., Rm. 2-231
Key West, Florida 33040
Phone: 305/292-4560
Fax: 305/292-4558



June 2, 2004

Scott Janke
City Manager
City of Marathon
10045-55 Overseas Highway
Marathon, FL 33050

Dear Mr. Janke:

Enclosed please find triplicate originals of the Interlocal Agreement concerning the sharing of local option gas tax revenue from July 1, 2004 to June 30, 2006. The agreement is being placed on the County Commission agenda for approval on June 16, 2004. Since a copy needs to be filed with the State by July 1, please execute and return all three copies to me as soon as possible. Upon BOCC approval and execution, I will see that you, as well as the State Department of Revenue, receive a fully-executed copy.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dent Pierce'.

Dent Pierce, Director

CDP/bpl

cc: David S. Koppel
James L. Roberts

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 16th day of June, 2004, (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, 2004 to June 30, 2006.

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.



ATTEST: DANNY L. KOLHAGE, CLERK

By *Jane H. Hume*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *Murray E. Nelson*
Mayor/Chairman

(SEAL)
Attest:

By *[Signature]*
City Clerk

CITY OF MARATHON, FLORIDA

By *[Signature]*
Mayor

JiaCOMgastax04

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

[Signature]
JOHN R. COLLINS
COUNTY ATTORNEY
Date 05/31/04

Scenario 6 - Social Service Transportation Funded by Alternate Revenue Source and Cities receive part of \$2.5 million (Revised) Constitutional Tax Based on Road Mileage % (\$2,300,000) and Historical Bridge Expenditures (\$200,000)

| | Road Mileage | Road Mileage % | Number of Bridges | Bridge % | Constitutional * Amount | % Constitutional Amount | New Total | Amount / Road Mile |
|--|--------------|----------------|-------------------|----------|-------------------------|-------------------------|-------------|--------------------|
| Monroe County | 389 | 67.42 | 21 | 67.74 | \$1,686,140 | 67.4456 | \$4,197,747 | \$10,791.12 |
| Key West | 80 | 13.86 | 0 | 0.00 | \$318,780 | 12.7512 | \$1,867,738 | \$23,346.73 |
| Marathon | 58 | 10.05 | 9 | 29.03 | \$289,210 | 11.5684 | \$662,701 | \$11,425.88 |
| Islamorada | 39 | 6.76 | 0 | 0.00 | \$155,480 | 6.2192 | \$519,056 | \$13,309.13 |
| Key Colony Beach | 8 | 1.39 | 1 | 3.23 | \$38,430 | 1.5372 | \$115,833 | \$14,479.13 |
| Layton | 3 | 0.52 | 0 | 0.00 | \$11,960 | 0.4784 | \$48,378 | \$16,126.00 |
| Totals | 577 | 100.00 | 31 | 100.00 | \$2,500,000 | 100.0000 | | |
| If Key West does not take over maintenance of County Roads within City: | | | | | | | | |
| Monroe County | | | | | \$2,004,920 | 80.1968 | \$4,516,527 | \$11,610.61 |
| Key West | | | | | \$0 | 0.0000 | \$1,548,958 | \$18,361.98 |

* Constitutional Amount = \$2,300,000 (% Road Mileage) + \$200,000 (% Bridges)

*INC Local option
Municipal Per Sharing
Pop based*



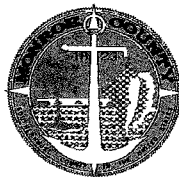
BOARD OF COUNTY COMMISSIONERS

Mayor Dixie M. Spehar, District 1
Mayor Pro Tem "Sonny" McCoy, District 3
Murray Nelson, District 5
George Neugent, District 2
David P. Rice, District 4

RECEIVED
OCT - 7 2005

BY: DR

Office of the County Attorney
502 Whitehead Street, Rear
Post Office Box 1026
Key West, FL 33041-1026
(305) 292-3470



OCT 11 2005

October 5, 2005

Mr. Mike Puto, City Manager
City of Marathon
10045-55 Overseas Highway
Marathon, FL 33050

Re: Gas Tax Sharing Interlocal Agreement

Dear Mr. Puto:

Enclosed please find three (3) originally executed copies of the above-referenced Interlocal Agreement for use by the City of Marathon.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathy Peters'.

Kathy M. Peters for:
Suzanne Hutton
Assistant County Attorney

SHkmp:

Enclosures: (3) originally executed copies *Inter-local Agreement*