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**CITY OF MARATHON, FLORIDA
RESOLUTION 2006-077**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH MONROE COUNTY FOR RECEIPT OF ANNUAL LOCAL OPTION GAS TAX REVENUES IN THE AMOUNT OF \$273,733.38 PER YEAR

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

WHEREAS, this Interlocal Agreement would allow the State of Florida, Department of Revenue, to distribute directly to the City its statutory share of gas tax revenues on an annual basis.


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 in the form attached as Exhibit "A", is approved. The Mayor is authorized to execute the Agreement.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 23rd day of May, 2006.


THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Mearns, Tempest, Worthington, Bull
NOES: None
ABSENT: Pinkus
ABSTAIN: None

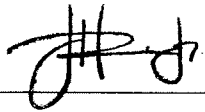
ATTEST:



Diane Clavier
City Clerk

(City Seal)

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



CITY ATTORNEY

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 City of Marathon, Florida, a municipal corporation of the State of Florida (the "City"), entered into this 16th day of May, 2006, (the or this "Agreement").

WHEREAS, pursuant to Chapter 99-427, Laws of Florida, the City was incorporated on November 30, 1999, and became operational in 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 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; now therefore,

THE PARTIES AGREE as follows:

Section 1. This Interlocal Agreement shall apply to funding starting on July 1, 2006 to June 30, 2009.

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

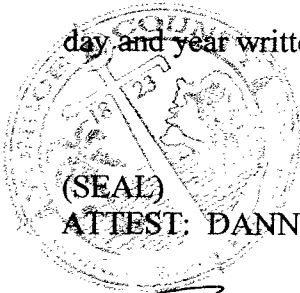
Section 3. The City shall receive \$273,733.38 in gas tax revenues for each year during the term of this Agreement.

Section 4. In the event that an audit for transportation expenditures specified by Chapter 336, Florida Statutes, changes the actual lane miles in the City, the parties shall mutually agree to review the audit and adjust the percentage of revenues due to the City.

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

Section 5. 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 *Jane Hancock*
Deputy Clerk

DATE: MAY 16 2006

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By *[Signature]*
Mayor/Chairman

(SEAL)
ATTEST:

By *Diane Clavier*
City Clerk

DATE: 6-27-06

CITY OF MARATHON, FLORIDA

By *[Signature]*
Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

S.M. Grimsley 5-3-06
SUSAN M. GRIMSLEY
ASSISTANT COUNTY ATTORNEY