



City of Hallandale Beach City Commission Agenda Cover Memo

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|---|---|-----------|--|---|------------------|-------------------------------|
| Meeting Date: | September 17, 2018 | | Item Type: <i>(Enter X in box)</i> | Resolution X | Ordinance | Other |
| Fiscal Impact: <i>(Enter X in box)</i> | Yes | No | Ordinance Reading: <i>(Enter X in box)</i> | 1st Reading | | 2nd Reading |
| | | X | | Public Hearing: <i>(Enter X in box)</i> | Yes X | No |
| Funding Source: | N/A | | Advertising Requirement: <i>(Enter X in box)</i> | Yes | No X | |
| | N/A | | | Quasi Judicial: <i>(Enter X in box)</i> | Yes | No X |
| Project Number: | N/A | | RFP/RFQ/Bid Number: | N/A | | |
| Contract/P.O. Required: <i>(Enter X in box)</i> | Yes | No | Strategic Plan Priority Area: <i>(Enter X in box)</i> | | | |
| | X | | | | | |
| Sponsor Name: | Nydia M. Rafols Sallaberry, Interim City Manager | | Department: Development Services | Keven Klopp, Development Services Director | | |

Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT (“INTERLOCAL AGREEMENT”) BETWEEN BROWARD COUNTY, PARTICIPATING MUNICIPALITIES, AND THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION, IN SUBSTANTIALLY THE FORM AS ATTACHED “EXHIBIT 2”; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT IF APPROVED BY VOTERS IN THE NOVEMBER 6TH, 2018 ELECTION; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Background:

On June 5, 2018, the County Commission voted to place on the November 6, 2018, ballot, for consideration by the countywide electorate, a proposed transportation surtax levy of one percent (1%). On June 5, the County Commission also enacted Ordinance No. 2018-29 (Exhibit 3), the Broward County Transportation Surtax Ordinance, which, among other things, provided a process by which any municipality within Broward County may apply for project funding from surtax proceeds. The process includes a request that the Broward Metropolitan Planning Organization (MPO) review and rank all municipal projects based on each project's ability to alleviate traffic congestion and enhance connectivity. The ordinance also established an independent oversight board (The "Oversight Board") to ensure transparency and objectivity in the review of applications for funding from surtax proceeds.

Current Situation:

The attached ILA (Exhibit 2):

1. Establishes eligibility for funding municipal projects that will relieve traffic congestion and increase connectivity funding categories include: street lighting, drainage, buffer/sound walls, fiber-optic, landscaping, parking, and road improvements);
2. Establishes the MPO's commitment to review and rank all municipal projects on a yearly basis to be submitted to Broward County for approval and then the Oversight Board for final approval;
3. Commits that a minimum of ten percent (10%) of the total surtax proceeds received (the current estimate for total proceeds during the thirty-year levy is \$15.6 billion) less the amount directly paid for the Community Bus Service would be used to fund municipal projects;
4. Commits to directly fund all reasonable and necessary operating, maintenance, and capital cost of existing Community Bus Service and improved or new Community Bus Service up to ten percent (10%) of the total surtax proceeds received.
5. Establishes conditions precedent to effectiveness of this Agreement states that the County currently estimates that approximately \$2.8 billion in surtax funds would be available over the term of the levy to fund approved municipal projects that are currently included in the transportation plan, and states the County's intention in good faith to utilize that sum on approved municipal projects (inclusive of payment for enhanced community bus service);

6. Contains a pledge of support by all parties for the ballot measure to the full extent permissible under applicable law, all parties pledge to support the approval of the Ballot Measure and agree to work cooperatively to enhance the regional transportation system;
7. Establishes periodic reporting and audit requirements;
8. States this Agreement may be amended by a written document formally approved by the County and municipalities that both constitute a majority of the municipalities party to the Agreement, and cumulatively represent more than fifty percent (50%) of the County's total population; and
9. Establishes the term for this Agreement which shall remain in full force and effect until all Transportation Surtax Proceeds received by any party have been expended and thereafter until ninety (90) days after the Oversight Board has completed its review of each applicable party's final audit. If the Ballot Measure is not approved by majority vote in connection with the November 6, 2018, election, this Agreement shall be null and void ab initio.

It is important for the City to enter this Agreement because in it, the County has committed to funding a minimum of \$1.56 billion in municipal projects with a \$2.8 billion maximum over a 30 year time frame. The City submitted to the County, a list of transportation improvement projects worth a total of \$31,755,000 (Exhibit 4). The list, which was presented to and approved by the City Commission, has been accepted by the County and included in the \$2.8 billion estimate for municipal projects. Additionally, the City would benefit from county-wide investments such as enhanced bus service, fiber-optic signalization improvements, and some roadway improvements. The establishment of the Oversight Board provides the City an opportunity to amend the projects list and submit new projects as the needed. Broward County's voters have the final decision in approving or rejecting the surtax. If approved, this would be the largest funding source dedicated to transportation improvements in the City right now.

Why Action is Necessary:

The County would be the first party to approve and execute the ILA (Exhibit 2). The ILA would become effective only if, by September 30, it is approved and executed by the MPO and municipalities representing a majority of the County's population. Other municipalities can join after September 30, but they would not be eligible to receive any surtax proceeds during calendar year 2019. According to the City's Code of Ordinances Section 2-4. – "City Manager authority to execute contracts. The City Manager is authorized to execute all contracts and/or agreements on behalf of the city which are not a result of the appropriations process and ordinances and are in the best interest of the City. The City Manager is also authorized to execute all contracts and/or agreements on behalf of the city which do not exceed his or her purchasing authority.

Proposed Action:

It is recommended that the Mayor and City Commission of Hallandale Beach approve the Transportation System Surtax Interlocal Agreement between Broward County, participating municipalities, and the Broward County Metropolitan Planning Organization, in substantially the form attached as Exhibit 2; authorizes the City Manager to execute the Transportation System Surtax Interlocal Agreement if approved by voters in the November 6th election; authorizes the City Manager to take all steps necessary and appropriate to implement the terms and conditions of the Transportation System Surtax Interlocal Agreement ;and provides for an effective date.

Attachment(s):

- Exhibit 1 – Resolution
- Exhibit 2 – Transportation System Surtax Interlocal Agreement
- Exhibit 3 – Broward County Surtax Ordinance
- Exhibit 4 – Hallandale Beach City Projects Surtax List
- Exhibit 5 – Broward County Surtax Resolution

Prepared By: *Eric L. Houston*
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Transportation and Mobility Planner

Concurred with: _____


Keven R. Klopp, Director
Development Services