

**SECOND AMENDMENT TO
INTERLOCAL AGREEMENT**

THIS SECOND AMENDMENT TO INTERLOCAL AGREEMENT made and entered into as of the 15TH day of DECEMBER, 2015, by and between Pinellas County, a political subdivision of the State of Florida (the "County") and the municipalities that are parties hereto within Pinellas County representing a majority of the population of the incorporated area of Pinellas County, as listed on the signature pages hereto (the "Municipalities").

WITNESSETH:

WHEREAS, this Second Amendment to Interlocal is authorized by Section 336.025, Florida Statutes, and other applicable law; and

WHEREAS, the Board of County Commissioners initially levied the local option fuel tax as authorized by Section 336.025(1)(a), Florida Statutes, ("Local Option Fuel Tax") on June 18, 1985, and has continuously levied it since that time; and

WHEREAS, in accordance with these levies, the County and Municipalities representing a majority of the population of the incorporated areas of Pinellas County previously entered into interlocal agreements, which determined the method and distribution of the Local Option Fuel Tax, including the Interlocal Agreement dated December 21, 2005 and the First Amendment thereto dated May 6, 2008 ("Prior Interlocals"); and

WHEREAS, there continues to be a need within Pinellas County for additional funds to be used for transportation expenditures authorized by Section 336.025, Florida Statutes; and

WHEREAS, the County and the Municipalities are desirous of insuring a stable and sufficient revenue flow from the local option fuel tax proceeds both in terms of the amount and

the period of the levy, in order to have such monies available for the payment of transportation expenditures incurred by the County and the Municipalities as permitted by applicable Florida law; and

WHEREAS, the purpose and intent of this Second Amendment to Interlocal Agreement ("Second Amendment") is to establish a current plan for the continued administration and expenditure of the proceeds of the Local Option Fuel Tax, and as required by Section 336.025(1)(a)1., Florida Statutes, to establish a new distribution formula by redetermining the division of the proceeds based upon current population estimates.

NOW, THEREFORE, in consideration of the premises and of the mutual benefit, and in consideration of the covenants and agreements set forth herein, the County and the Municipalities agree as follows:

1. **EFFECTIVE DATE**. This Second Amendment shall be effective for the purposes stated herein on January 1, 2018, and shall expire on December 31, 2027.

2. **DISTRIBUTION**. Effective January 1, 2018 and contingent upon the extension of the Local Option Fuel Tax beyond August 31, 2017, allocation and disbursement to the County and Municipalities shall be made in accordance with the distribution formula attached to this Second Amendment as Exhibit 1, which is incorporated by reference. The distribution terms of this Second Amendment shall supersede the distribution formulas contained in the Prior Interlocals and the distribution of any local option fuel tax in effect as of January 1, 2018, shall be governed specifically by the terms of this Second Amendment. The parties hereby agree that all distributions which have been undertaken prior to the date hereof are proper and acceptable and the parties hereby waive any right to dispute an amounts previously distributed.

3. TERMINATION IF NO LEVY. This Second Amendment shall automatically terminate in the event that the County does not adopt an ordinance extending the Local Option Fuel Tax pursuant to Section 336.025, Florida Statutes, on or before September 1, 2017.

4. Except as amended herein, all other terms, conditions and provisions of the Interlocal dated December 21, 2005, and the First Amendment thereto dated May 6, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:
KEN BURKE, CLERK

PINELLAS COUNTY, FLORIDA, by and
Through its Board of County Commissioners

By: 
Deputy Clerk

By: 
Chair



APPROVED AS TO FORM

By: 
Office of the County Attorney

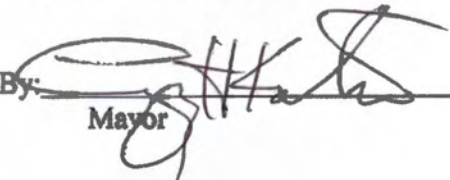
< **ADDITIONAL SIGNATURE PAGES TO FOLLOW** >

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

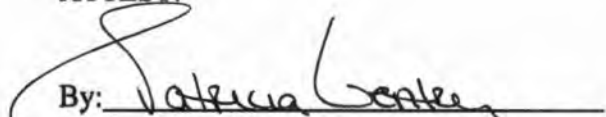
By: 
City Clerk

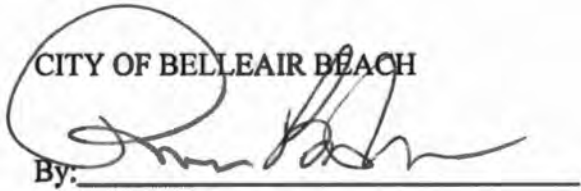
TOWN OF BELLEAIR

By: 
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: 
City Clerk

CITY OF BELLEAIR BEACH
By: 
Mayor

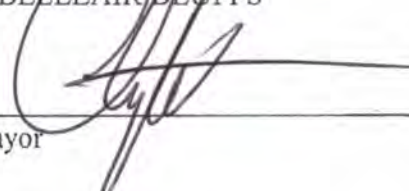
IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By:  _____
City Clerk



CITY OF BELLEAIR BLUFFS

By:  _____
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: _____

City Clerk

TOWN OF BELLEAIR SHORE

By: _____

Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF CLEARWATER

By: Cherise Sprague
For: City Clerk

By: William B. Howe II
City Manager



COUNTERSIGNED:

By: -george creek
Mayor

APPROVED AS TO FORM

By: MKA
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

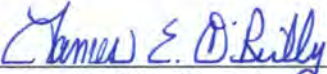
By: Simon Kirkpatrick
City Clerk

CITY OF DUNEDIN

By: Julie Wood-Bryant
Mayor

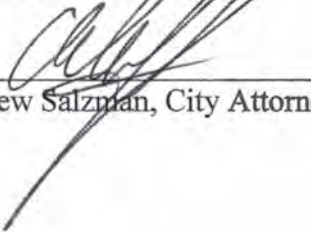
IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above,



CITY OF GULFPORT, FLORIDA


James E. O'Reilly, City Manager

ATTEST:

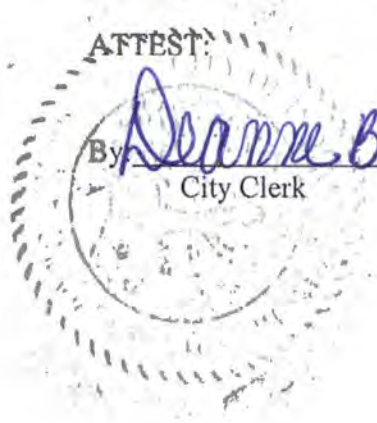
APPROVED AS TO FORM AND
CORRECTNESS:


Andrew Salzman, City Attorney



Lesley DeMuth, City Clerk

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:



By:

Deanne B. O'Beilly
City Clerk

CITY OF INDIAN ROCKS BEACH

By:

[Signature]
Mayor

5

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF INDIAN SHORES

By: Claine Jackson, MMC
City Clerk

By: James J. Lavery
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF KENNETH CITY

By: Susan L. Scroggins
City Clerk

By: Wanda L. Dudley
Mayor

N WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF LARGO

By: *Norton Craig*
City Manager

By: *[Signature]*
Mayor

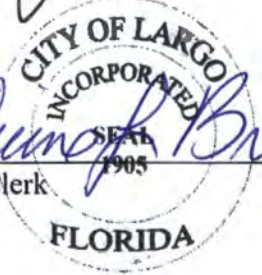
[SEAL]

Reviewed and approved:

By: *[Signature]*
City Attorney


ATTEST:

By: *[Signature]*
City Clerk

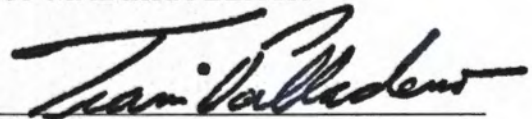


IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: 
City Clerk

CITY OF MADEIRA BEACH

By: 
Mayor



IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

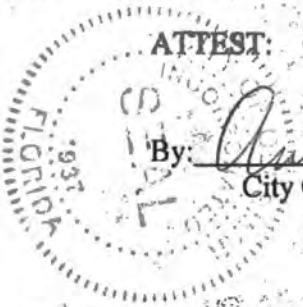
By: Mari Sobell, cmc
City Clerk

TOWN OF NORTH REDINGTON BEACH

By: [Signature]
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:



By: *Alex Nixon*
City Clerk

CITY OF OLDSMAR

By: *Ray Park*
Mayor

APPROVED AS TO FORM

By: *Thomas F. Lee*
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF PINELLAS PARK

By: *[Signature]*
City Clerk

By: *[Signature]*
Mayor



APPROVED AS TO FORM AND CONTENT

By: *[Signature]*
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

TOWN OF REDINGTON BEACH

By: Missy Clarke
City Clerk

By: [Signature]
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By:

City Clerk

Mary F. Salmer

TOWN OF REDINGTON SHORES

By:


Mayor

Bob Adams

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:


By:


City Clerk

City Clerk

CITY OF SAFETY HARBOR

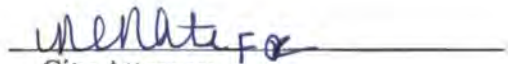
By:


Mayor

Mayor

APPROVED AS TO FORM

By:


City Attorney

City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

By: Patricia Behrman
City Clerk

CITY OF SEMINOLE

By: Ann Honey-Deal
City Manager

APPROVED AS TO FORM:


By: [Signature]
City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF SOUTH PASADENA

By:


City Clerk

By:


Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETERSBURG

By: Cathy E. Davis
Acting City Clerk

By: [Signature]
Mayor



Approved as to form and content:

[Signature]
City Attorney (designee)

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF ST. PETE BEACH

By:


Reseda Dwyer 10/13/2015
City Clerk

By:

Alavia Lowe
Mayor

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TARPON SPRINGS

By: Jane S. Jacobs
City Clerk



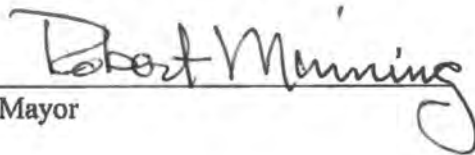
By: David O. Archie
Mayor
David O. Archie

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be executed as of the day and year first written above.

ATTEST:

CITY OF TREASURE ISLAND

By: 
City Manager

By: 
Mayor