

AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE POLK TRANSPORTATION PLANNING ORGANIZATION

THIS AMENDMENT (hereinafter "Amendment") is made and entered into by and between the State of Florida, Department of Transportation; Polk County; the City of Auburndale, City of Bartow, City of Davenport, Town of Dundee, City of Eagle Lake, City of Fort Meade, City of Frostproof, City of Haines City, City of Lake Alfred, Town of Lake Hamilton, City of Lakeland, City of Lake Wales, City of Mulberry, City of Polk City, and the City of Winter Haven, collectively known as "the parties."

RECITALS

WHEREAS, the parties reaffirm the Interlocal Agreement dated July 10, 2014;

WHEREAS, section 134 Title 23 of the United States Code requires the designation of metropolitan planning organizations (hereinafter "MPO" or "MPOs") in urban areas, as defined by the United States Census Bureau;

WHEREAS, section 339.175(4)(a), Fla. Stat., requires the Governor to review the composition of the Metropolitan Planning Organizations membership in conjunction with the decennial census;

WHEREAS, section 134 of Title 23 of the United State Code sets forth membership requirements for MPOs designated for transportation management areas (TMA) with a population of 200,000 or more residents;

WHEREAS, the Polk Transportation Planning Organization (TPO) serves as the MPO for the Lakeland and Winter Haven TMAs and is the agency designated to conduct a continuing, coordinated, and comprehensive transportation planning process;

WHEREAS, on October 12, 2023, the governing board of the Polk TPO met to review its voting composition and approved a Resolution Supporting the Adoption of the TPO Membership Apportionment Plan ("Apportionment Resolution");

WHEREAS, the signatories to this Amendment hereby reaffirm the Apportionment Resolution as if fully set forth herein;

WHEREAS, the governing body of the Polk TPO has determined it is appropriate that the City of Davenport, City of Haines City, City of Lake Alfred, and City of Winter Haven be granted additional representatives as voting members to the Interlocal Agreement creating the Polk TPO.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties agree as follows:

I. Recitals. The foregoing recitals are true and correct.

II. Interlocal Agreement. Article 4, Sections 4.01(a) and 4.01(c) of the Interlocal Agreement dated July 10, 2014, are amended to read as follows:

Section 4.01. Composition and membership of governing board.

(a) The membership of the TPO shall consist of twenty-three (23) voting members and six (6) non-voting advisors. The names of the member local government entities and the voting apportionment of the governing board as approved by the Governor shall be as follows:

JURISDICTION

VOTING MEMBERS

Polk County Board of County Commissioners	Five (5)
City of Lakeland	Six (6)
City of Winter Haven	Three (3)
City of Haines City	Two (2)
City of Bartow	One (1)
City of Lake Wales	One (1)
City of Auburndale	One (1)
City of Davenport	One (1)
City of Lake Alfred	One (1)
City of Fort Meade	One (1)*
City of Mulberry	One (1)*
City of Frostproof	One (1)*
Town of Dundee	One (1)**
City of Eagle Lake	One (1)**
City of Polk City	One (1)**
Town of Lake Hamilton	One (1)**

* Alternate Voting Membership – South County Bloc

** Alternate Voting Membership – Central County and Ridge Bloc

The Florida Department of Transportation shall have one (1) non-voting advisor on the TPO.

(c) Pursuant to section 339.175(3), F.S., the voting membership of an M.P.O. shall consist of not fewer than 5 or more than 25 apportioned members, the exact

number to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general-purpose local government as required by federal rules and regulations. The TPO's voting membership as set forth in Section 4.01(a) complies with section 339.175(3), F.S.

III. Entire Agreement. This Amendment represents the entire understanding and agreement between the parties with respect to the subject matter hereof. None of the terms and provisions hereof may be amended, supplemented, waived or changed orally, but only by a writing signed by each of the parties hereto.

IV. Amendment Execution and Counterpart Signature Pages. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

V. Effective Date. Pursuant to Section 163.01(11), F.S., this Amendment shall become effective upon the filing of the fully executed Amendment with the Clerk of the Circuit Court for Polk County, Florida.

VI. Except as hereby modified, amended or changed, all of the terms and conditions of the Interlocal Agreement dated July 10, 2014 and any amendments thereto will remain in full force and effect.

IN WITNESS WHEREOF, the undersigned parties have caused this Amendment to the Interlocal Agreement dated July 10, 2014, to be duly executed on their behalf.

**BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA**

BY: _____

ATTEST: _____

CITY OF LAKELAND

BY: _____

ATTEST: _____

CITY OF WINTER HAVEN

BY: _____

CITY OF AUBURNDALE

BY: _____

ATTEST: _____
CITY OF BARTOW

BY: _____

ATTEST: _____

CITY OF LAKE WALES

BY: _____

ATTEST: _____

CITY OF MULBERRY

BY: _____

ATTEST: _____

CITY OF LAKE ALFRED

BY: _____

ATTEST: _____

CITY OF EAGLE LAKE

BY: _____

ATTEST: _____

CITY OF POLK CITY

BY: _____

ATTEST: _____

ATTEST: _____
CITY OF HAINES CITY

BY: _____

ATTEST: _____

CITY OF FORT MEADE

BY: _____

ATTEST: _____

CITY OF FROSTPROOF

BY: _____

ATTEST: _____

TOWN OF DUNDEE

BY: _____

ATTEST: _____

CITY OF DAVENPORT

BY: _____

ATTEST: _____

TOWN OF LAKE HAMILTON

BY: _____

ATTEST: _____

**FLORIDA DEPARTMENT OF
TRANSPORTATION**

BY: _____

ATTEST: _____

LEGAL REVIEW:

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DC

DISTRICT GENERAL COUNSEL