

**HENDRY COUNTY AND CITY OF LABELLE  
INTERLOCAL AGREEMENT FOR DISTRIBUTION OF  
LOCAL OPTION FUEL TAX PROCEEDS**

THIS AGREEMENT, effective this 25<sup>th</sup> day of July, 2023, is made by and between HENDRY COUNTY, a political subdivision of the State of Florida, hereinafter referred to as County, and THE CITY OF LABELLE, a municipal corporation, hereinafter referred to as City.

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes counties to levy and impose an Additional Local Option Fuel Tax of up to five cents a gallon; and

WHEREAS, the County has previously levied two cents per gallon Additional Local Option Fuel Tax, which under Ordinance No. 2013-07 will expire on December 31, 2023; and

WHEREAS, the parties previously entered into an interlocal agreement for distribution of the two cents Additional Local Option Fuel Tax proceeds, which expires on December 31, 2023; and

WHEREAS, the County adopted an ordinance on July 25, 2023, to extend the two cents Additional Local Option Fuel Tax through December 31, 2030; and

WHEREAS, the parties wish to extend for another 7 years the existing distribution of the two cents Additional Local Option Fuel Tax proceeds; and

WHEREAS, in accordance with the above-referenced statutory authority, the parties desire to memorialize their agreement as to the distribution of the proceeds from said tax.

NOW, THEREFORE, the parties agree that all Local Option Fuel Tax proceeds received by Hendry County, pursuant to the provisions of Section 336.025(1)(b), Florida Statutes, shall be distributed and expended as follows:

1. Effective January 1, 2024 through December 31, 2030, the proceeds from the Local

Option Fuel Tax levied pursuant to Section 336.025(1)(b), Florida Statutes, shall be distributed between Hendry County and the City of LaBelle in the following percentages:

| <u>Recipient</u> | <u>Share of Proceeds</u> |
|------------------|--------------------------|
| Hendry County    | 65%                      |
| City of LaBelle  | 14.33%                   |

2. The funds received and distributed under the Additional Local Option Fuel Tax shall be spent by the County and City for the purpose outlined in Section 336.025(1)(b)3, to wit: transportation expenditures needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. For purposes of this paragraph, expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads shall be deemed to increase capacity and such projects shall be included in the capital improvements element of an adopted comprehensive plan. Expenditures for purposes of this paragraph shall not include routine maintenance of roads.

3. Nothing in this Interlocal Agreement shall be construed to prevent the City and County from expending Local Option Fuel Tax monies on projects mutually beneficial to the transportation purposes of both governmental units.

4. This Interlocal Agreement shall govern the distribution of Additional Local Option Fuel Taxes from January 1, 2024, through December 31, 2030, unless modified by mutual consent of the parties.

5. The County and City agree that all expenditures of the Additional Local Option Fuel Tax proceeds, divided and distributed pursuant to this Interlocal Agreement, shall be utilized only for transportation expenditures in accordance with the provisions and requirements of Section 336.025, Florida Statutes.

6. The restrictions and provisions contained herein placed upon the County's or City's division or expenditure of revenues received from the Local Option Fuel Tax may be modified by amendment to this Interlocal Agreement if reduced to writing and executed by all parties.

7. All prior Interlocal Agreements between the parties relating to the distribution of Local Option Fuel Taxes authorized by Section 336.025(1)(b), Florida Statutes, are hereby repealed effective as of the end of the day of December 31, 2023.

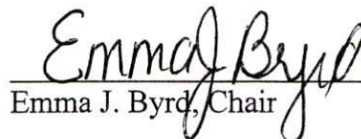
8. This Interlocal Agreement shall be filed with the Hendry County Clerk of Court as required by Section 163.01(11), Florida Statutes.

IN WITNESS WHEREOF the parties hereto have set their hands and seals effective the day and year first written above.

HENDRY COUNTY, FLORIDA

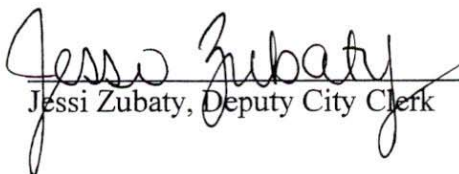
ATTEST:

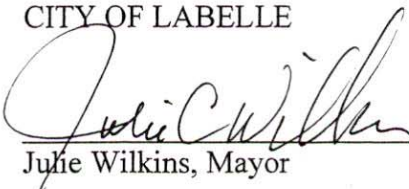
  
Kimberley Barrineau, Clerk

  
Emma J. Byrd, Chair

CITY OF LABELLE

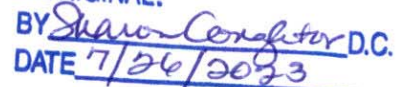
ATTEST:

  
Jessi Zubaty, Deputy City Clerk

  
Julie Wilkins, Mayor

STATE OF FLORIDA  
HENDRY COUNTY

THIS IS TO CERTIFY THAT THE FOREGOING  
3 PAGES ARE TRUE AND CORRECT COPIES  
OF THE ORIGINAL.

BY  Sharon Conforti D.C.  
DATE 7/26/2023