

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

THIS AGREEMENT, effective this 28<sup>th</sup> day of July, 2020, 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)(a), Florida Statutes, authorizes counties to impose a Local Option Fuel Tax of up to six cents a gallon; and

WHEREAS, the County has previously levied the full six cents per gallon Local Option Fuel Tax which, under Ordinance No. 2010-23, will expire on December 31, 2020; and

WHEREAS, the parties previously entered into an interlocal agreement for distribution of the six cents Local Option Fuel Tax proceeds, which expires on December 31, 2020; and

WHEREAS, the County adopted an ordinance on July 28, 2020, to extend the six cents Local Option Fuel Tax through December 31, 2030; and

WHEREAS, the parties wish to extend for another 10 years the existing distribution of the six cents 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)(a), Florida Statutes, shall be distributed and expended as follows:

1. Effective January 1, 2021 through December 31, 2030, the proceeds from the Local Option Fuel Tax levied pursuant to Section 336.025(1)(a), 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 Local Option Fuel Tax shall be spent by the County and City for road improvements and transportation expenses as the governing authority of that respective governmental unit shall determine at its discretion.

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 Local Option Fuel Taxes from January 1, 2021, through December 31, 2030, unless modified by mutual consent of the parties.

5. The County and City agree that all expenditures of the 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)(a), Florida Statutes, are hereby

repealed effective as of the end of the day of December 31, 2020.

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

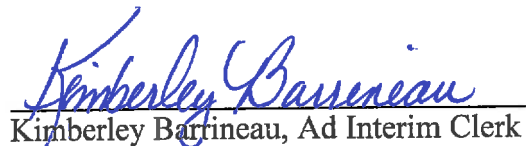
IN WITNESS WHEREOF the parties hereto have set their hands and seals effective the day and year first written above.

HENDRY COUNTY, FLORIDA

A handwritten signature in black ink, appearing to read "Mitchell Wills", written over a horizontal line.

Mitchell Wills, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Kimberley Barrineau", written over a horizontal line.

Kimberley Barrineau, Ad Interim Clerk

CITY OF LABELLE, FLORIDA

A handwritten signature in blue ink, appearing to read "David Lyons", written over a horizontal line.

David Lyons, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Thomas A. Smith", written over a horizontal line.

Thomas A. Smith, Clerk