

RESOLUTION NO.759

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, REQUESTING THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS TO EXTEND THE CURRENT LOCAL OPTION FUEL TAX INTERLOCAL AND ITS CURRENT DISTRIBUTION FORMULA FOR ONE YEAR, UP TO AND INCLUDING DECEMBER 31, 2013.

**WHEREAS**, the Town of Sewall's Point, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town of Sewall's Point, the Town of Jupiter Island, and the Town of Ocean Breeze Park entered into the ten-year Fuel Tax Interlocal Agreement with Martin County (the "Interlocal"); and

**WHEREAS**, in accordance with sec. 336.025, Fla. Stat., the Interlocal establishes the current "local option fuel tax" distribution formula (the "Gas Tax Formula") which sets forth how the local option fuel tax is to be divided amongst the parties to the Interlocal; and

**WHEREAS**, the Interlocal is set to expire on December 31, 2012; and

**WHEREAS**, on or around July 31, 2012, the Municipalities held a joint meeting wherein the Gas Tax Formula was discussed; and

**WHEREAS**, based upon the consensus reached by the Town of Sewall's Point, the Town of Jupiter Island, the Town of Ocean Breeze, and the City of Stuart at the joint meeting, the Town of Sewall's Point requests that the Martin County Board of County Commissioners extend the Interlocal and its current Gas Tax Formula for one year, up to and including December 31, 2013; and

**WHEREAS**, the Town of Sewall's Point agrees to participate in good faith negotiations with the parties to the Interlocal regarding the development of a mutually agreeable local option fuel tax distribution formula and interlocal agreement prior to the expiration of the one year extension; and

**WHEREAS**, the Town of Sewall's Point believes that the extension of the current Gax Tax Formula serves the best interests of the health, safety, and welfare of its respective residents.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:**

**Section 1.** The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

**Section 2.** The Town of Sewall's Point, Florida, hereby requests that the Martin County Board of County Commissioners extend the current Interlocal and its Gas Tax Formula for one year, up to and including December 31, 2013.

**Section 3.** The Town of Sewall's Point, Florida, hereby directs the Town Manager to participate in good faith negotiations with the parties to the Interlocal regarding the development of a mutually agreeable local option fuel tax distribution formula prior to December 31, 2013.


	<u>AYE</u>	<u>NAY</u>
JACQUI THURLOW-LIPPISCH, MAYOR	<u>✓</u>	<u>   </u>
PAUL SCHOPPE, VICE MAYOR	<u>✓</u>	<u>   </u>
TOM BAUSCH, Commissioner	<u>   </u>	<u>absent</u>
PAM BUSHA, Commissioner	<u>✓</u>	<u>   </u>
PAUL LUGER, Commissioner	<u>✓</u>	<u>   </u>

The Town Manager thereupon declared this Resolution No. 759 approved and adopted by the Town Commission of the Town of Sewall's Point on this 15<sup>th</sup> day of August, 2012.


TOWN OF SEWALL'S POINT, FLORIDA

  
Robert Kellogg, Town Manager

ATTEST:

  
Ann-Marie S. Basler, Town Clerk  
(TOWN SEAL)



  
Glen J. Torcivia, Town Attorney  
Florida Bar No. 343374  
Approved as to form and legal sufficiency