

Introduced by: Council Member Cory Nichols

Adopted: December 6, 2021

**RESOLUTION NO. 2097-2021**

**A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH,  
FLORIDA, AMENDING AND RESTATING THE INTERLOCAL  
AGREEMENT REGARDING LOCAL OPTION GAS TAXES  
BETWEEN THE CITY OF JACKSONVILLE AND OTHER  
MUNICIPALITIES WITHIN DUVAL COUNTY.**

**WHEREAS**, the parties hereto are the City of Jacksonville Beach, the City of Atlantic Beach, the City of Neptune Beach, and the Town of Baldwin, hereinafter referred to as the "Cities" and the City of Jacksonville, and

**WHEREAS**, the parties entered into an Interlocal Agreement with the City of Jacksonville on June 28, 1985, creating a distribution formula for dividing the proceeds of a local option gas tax up to the maximum amount allowed per gallon upon every gallon of motor fuel and special fuel sold within Duval County and taxed under the provisions of Chapter 206, Florida Statutes, as authorized to be imposed by the governing body of Duval County by Section 336.025, Florida Statutes; and

**WHEREAS**, the parties hereto entered into extensions of the Interlocal Agreement with the City of Jacksonville on August 28, 1996, for the period beginning September 1, 1986, and extending through August 31, 2016, and again on August 14, 2016, for the period beginning September 1, 2016, and extending through August 31, 2036; and

**WHEREAS**, pursuant to Ordinance 2021-223-E, the City of Jacksonville has extended the 6-Cent Local Option Gas Tax through August 31, 2046, and levied an additional 5-Cent Local Option Gas Tax pursuant to Section 206.41(1)(e), Florida Statutes, for fuel sales starting on January 1, 2022, and continuing for fuel sales through December 31, 2051; and

**WHEREAS**, the parties hereto are entering into an amended and restated agreement with the City of Jacksonville pursuant to and in compliance with the provisions of Section 336.025, Florida Statutes; and as adopted by the City of Jacksonville in Ordinance 2021-223-E, and during said periods those taxes shall be allocated in the same manner as provided for in the Initial Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, THAT:**

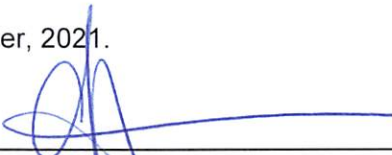

**SECTION 1.** The Mayor and City Manager are hereby authorized to execute an amended and restated Interlocal Agreement with the City of Jacksonville, which provides for the distribution formula for dividing the proceeds of local option gas taxes among the parties to the Interlocal Agreement.

**SECTION 2. Repeal of Prior Inconsistent Resolutions and Council Decisions.** All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 3. Severability.** If any section, sentence, clause, or phrase of this resolution should be held invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, or portion of this resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 4. Effective Date.** This resolution shall become effective immediately upon passage and adoption by City Council.

**AUTHENTICATED** this 6<sup>th</sup> day of December, 2021.

  
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Christine H. Hoffman, MAYOR  
  
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Sheri Gosselin, CITY CLERK

Approved as to form and legal sufficiency:

  
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Sandra R. Robinson, City Attorney