

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN  
ALACHUA COUNTY AND THE CITY OF GAINESVILLE  
FOR THE DISTRIBUTION OF THE LOCAL OPTION GAS TAX**

This Second Amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for the Distribution of the Local Option Gas Tax, (the "Amendment") is entered into by and between ALACHUA COUNTY, a charter county and political subdivision of the State of Florida (the "County"), and the CITY OF GAINESVILLE, a municipal corporation (the "City").

**WITNESSETH**

**WHEREAS**, Section 336.025, Fla. Stat., permits the County the authority to levy, in addition to other taxes allowed by law, a local option gas tax ("Gas Tax") upon every gallon of motor fuel and special fuel sold in the County and taxed under the provisions of Chapter 206, Fla. Stat.; and

**WHEREAS**, the County and City entered into an Interlocal Agreement on June 28, 1985 ("Interlocal") to provide for the division and distribution of the proceeds of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> cents of the Gas Tax; and

**WHEREAS**, the Interlocal is effective from September 1, 1985 to August 31, 2015; and

**WHEREAS**, the County and City desire to extend the Interlocal to provide for the division and distribution of the proceeds of any extension of the Gas Tax by the County; and

**WHEREAS**, the County and City entered into the First Amended Interlocal Agreement on May 28, 2015 for extension of the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> cents of the Gas Tax; and

**WHEREAS**, the County and City are required to extend the tax to conclude on a date certain of December 31<sup>st</sup>; and

**WHEREAS**, the City is a municipality located within Alachua County, Florida, eligible to receive a portion of the local option gas tax, and represents a majority of the population of the incorporated area within the county.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the Interlocal is hereby amended as follows:

- (1) Paragraph 2 of the Interlocal is hereby deleted and the following shall be inserted in its place:

"This Agreement shall take effect on September 1, 2015, and shall terminate on December 31, 2016. It shall govern the division and distribution of proceeds of the 4<sup>th</sup>, 5<sup>th</sup>

and 6<sup>th</sup> cent of the local option gas tax imposed through December 31<sup>st</sup> but not collected or otherwise available for distribution until after December 31<sup>st</sup> of the year the Agreement terminates.”

- (2) Except as expressly amended herein, all other terms and provisions of the original Interlocal between the parties, dated June 28, 1985, shall be and remain in full force and effect.
- (3) Should there be any conflict between the terms of the Interlocal and this Amendment, the terms of this Amendment shall govern.
- (4) This Amendment shall be effective upon the date of execution of all parties.

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**IN WITNESS WHEREOF**, the parties hereto have made and executed this First Amendment to Interlocal Agreement between Alachua County and the City of Gainesville for the Distribution of the Local Option Gas Tax on the respective dates beneath each signature.

**ALACHUA COUNTY:**

**BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA**

ATTEST:

By: \_\_\_\_\_  
Charles S. Chestnut IV, Chair  
Board of County Commissioners  
Date: \_\_\_\_\_

\_\_\_\_\_  
J.K. Irby, Clerk

APPROVED AS TO FORM

(SEAL)

\_\_\_\_\_  
Alachua County Attorney

**CITY OF GAINESVILLE:**

**CITY OF GAINESVILLE, FLORIDA**

By: \_\_\_\_\_  
Edward B. Braddy, Mayor  
City of Gainesville  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Kurt Lannon, Clerk of the Commission

APPROVED AS TO FORM AND LEGALITY

(SEAL)

\_\_\_\_\_  
City of Gainesville Attorney