

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, made and entered into this 27th day of July, A.D., 1987[‡] by and between Alachua County, a Charter County and political subdivision of the State of Florida, by and through its Board of County Commissioners, herein-after referred to as the "County", and the City of Gainesville, a municipal corporation of the State of Florida, hereinafter referred to as the "City", for the purpose of extending the Inter-local Agreement dated June 30, 1983, and providing for the division and distribution of the proceeds of the local option gas tax imposed by the County pursuant to Chapter 83-3, Laws of Florida, as amended;

W I T N E S S E T H:

WHEREAS, The Board of County Commissioners of Alachua County, Florida, pursuant to Section 336.025, Florida Statutes, adopted Ordinance 83-4 on July 7, 1983, imposing a three- (3) cent local option gas tax in Alachua County; and,

WHEREAS, the tax imposed by Ordinance 83-4 will expire on August 31, 1988; and,

WHEREAS, the Board of County Commissioners of Alachua County wishes to reimpose such tax at the expiration of the time period set forth in Ordinance 83-4, namely August 31, 1988; and,

WHEREAS, the City, which is a party to this interlocal agreement, 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 incorporated area population within Alachua County, and desires to jointly reimpose such local option gas tax effective September 1, 1988;

* date approved by the City Commission

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and pursuant to Section 163.01, et seq., Florida Statutes, the "Florida Interlocal Cooperation Act of 1969", the parties hereto agree as follows:

Section 1. Upon its reimposition by the County, the local option gas tax shall be divided among, and distributed to the County and the eligible municipalities within the County, as follows:

<u>Recipient</u>	<u>Share of Proceeds</u>
Alachua County	43.94%
City of Alachua	2.29%
City of Archer	1.19%
City of Gainesville	43.94%
City of Hawthorne	1.40%
City of High Springs	2.60%
Town of Lacrosse	0.52%
Town of Micanopy	1.06%
City of Newberry	1.63%
City of Waldo	1.43%

Section 2. This agreement shall take effect on September 1, 1988, and shall terminate on either August 31, 2018, or, if the local option gas tax is levied for less than thirty (30) years, on August 31 of the year in which the levy terminates. It shall also govern the division and distribution of proceeds of the local option gas tax imposed through August 31, but not collected or otherwise available for distribution until after August 31 of the year the agreement terminates.

Section 3. If, during the term of this agreement, any party hereto becomes ineligible to receive a share of the local option gas tax for any reason, any funds otherwise undistributed because of ineligibility shall be distributed to eligible

governments within Alachua County in proportion to other monies distributed pursuant to paragraph 1 herein.

Section 4. Every fifth year during the term of this agreement, the distribution formula shall be subject to negotiation between the City and the County. In order to institute the negotiation process, either party shall serve written notice upon the other by certified mail at least one hundred eighty (180) days prior to each and every fifth anniversary year during the term of this agreement. In this event, both parties agree to enter into good faith negotiations within twenty (20) days of such notice. In the event negotiations do not result in a modification of this agreement, then the formula in paragraph 1 shall continue in effect.

Section 5. By execution of this agreement, neither the County nor the City will be deemed to have waived any rights or remedies they may have available under the laws of the State of Florida.

Section 6. This agreement may be executed in counter parts and each fully executed counterpart shall be deemed an original instrument.


Section 7. Upon adoption of an ordinance reimposing the local option gas tax by the County, the County shall provide the State of Florida Department of Revenue the distribution proportions established by this agreement prior to September 1, 1988.

Section 8. Pursuant to Section 163.01(11), Florida Statutes, this agreement and all subsequent amendments hereto shall be filed by the County with the Clerk of the Circuit Court of Alachua County, Florida, upon its execution by all parties hereto.

Section 9. This agreement may be amended only in writing approved by all parties executing this agreement.

IN WITNESS WHEREOF, the parties have caused this Inter-local Agreement to be executed for the uses and purposes therein expressed on the day and year first above-written.

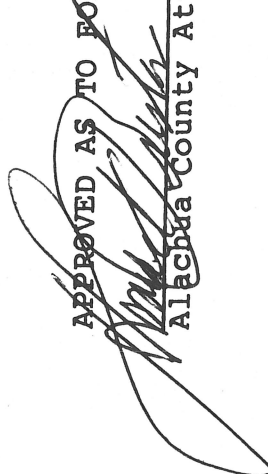
ALACHUA COUNTY, FLORIDA

BY: 
Edwin B. Turlington, Chairman
Board of County Commissioners


ATTEST:

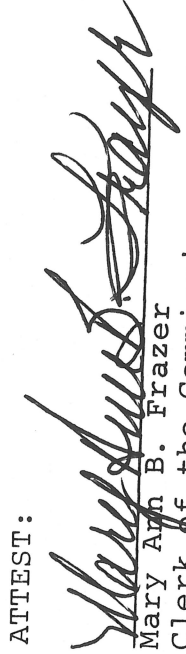
A. Curtis Powers, Clerk


(SEAL)

APPROVED AS TO FORM

Alachua County Attorney

CITY OF GAINESVILLE, FLORIDA

BY: 
David Flagg,
Mayor-Commissioner

ATTEST:

Mary Ann B. Frazer
Clerk of the Commission

Approved as to form and correctness
By: 
Marion J. Radson, City Attorney
City of Gainesville, Florida

JUL 30 1987