

**INTERLOCAL AGREEMENT BETWEEN  
ALACHUA COUNTY AND THE CITY OF GAINESVILLE  
FOR DISTRIBUTION OF LOCAL GOVERNMENT ENVIRONMENTAL  
LANDS, PARKS AND RECREATION ONE-HALF PERCENT (1/2%)  
INFRASTRUCTURE SALES SURTAX**

THIS INTERLOCAL AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2008, between Alachua County, a charter county and a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereinafter referred to as the “County”), and the City of Gainesville, by and through its City Commissioners, a municipal corporation of the State of Florida, (hereinafter referred to as “City”).

WITNESSETH:

WHEREAS, Subsection 212.055(2), Florida Statutes, provides the County the authority to levy, in addition to other taxes allowed by law, a local government infrastructure sales surtax (hereinafter referred to as “surtax”) pursuant to ordinance enacted by a majority of the members of the board of county commissioners and approved by a majority of the electors of the County; and,

WHEREAS, Subsection 212.055(2)(c), Florida Statutes, provides that the proceeds of the surtax levied shall be distributed according to an interlocal agreement between the County governing body and the governing bodies of the municipalities representing a majority of the County’s municipal population; and,

WHEREAS, the City of Gainesville contains a majority of the County’s municipal population; and,

WHEREAS, Subsection 212.055(2)(b), Florida Statutes, provides that a brief general description of the projects to be funded by the surtax shall be placed on the ballot; and

WHEREAS, pursuant to Subsection 212.055(2)(c), Florida Statutes, the County and the City, in anticipation of the levy of the surtax, desire to establish by interlocal agreement the distribution percentages for dividing the surtax proceeds between the County and the municipalities within the County.

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, and Subsection 212.055(2), Florida Statutes, the parties hereto agree as follows:

1. Purpose. This Agreement is intended to provide the distribution percentages for the proceeds of the surtax between Alachua County and the municipalities within the County to be used by the State of Florida Department of Revenue.

2. Distribution Percentages. Upon the levy of surtax, the proceeds shall be distributed between the County and the City municipalities within the County by the State of Florida, Department of Revenue, as follows:

Recipient	Share of Proceeds (in %)
Alachua County	51.7549
City of Alachua	2.85480
City of Archer	0.45457
City of Gainesville	40.39860
City of Hawthorne	0.54080
City of High Springs	1.72185
Town of LaCrosse	0.0707
Town of Micanopy	0.2310
City of Newberry	1.7359
City of Waldo	0.3013

3. Term. This agreement shall take effect on the day and year first above written and shall continue until all surtax proceeds are expended for the purposes identified in paragraph 4, below. The levy of the surtax shall commence on January 1, 2009, and shall continue for a period of two (2) years from that date and terminate on December 31, 2010, provided a majority of the electors in the County approve the levy of the surtax at a referendum called for such purpose.

4. Use of Surtax Proceeds. The surtax proceeds shall be used only to acquire and improve environmentally sensitive lands to protect drinking water sources, water quality, and wildlife habitat; and to create, improve and maintain parks and recreational facilities ~~that are identified in Exhibit A (“Parks and Recreation Facility Projects”)~~. Alachua County agrees to expend at least \_\_\_\_\_ % of its share of the surtax proceeds received by Alachua County for the acquisition and improvement of environmentally sensitive lands. Similarly, the City of Gainesville agrees to expend at least \_\_\_\_\_ of its share of the surtax proceeds received by the City of Gainesville for the acquisition and improvement of environmentally sensitive lands.

5. Senior Recreation Center. Alachua County agrees to pay to the City of Gainesville from Alachua County’s share of the surtax proceeds the amount of \$750,000 each year the surtax is levied for the total amount of \$1,500,000 for the purpose of constructing a senior recreation center. The amount of \$750,000 shall be paid by Alachua County to the City of Gainesville on or before December 31, 2009 for the first year of the levy, and on or before December 31, 2010 for the second year of the levy. The City of Gainesville agrees to contribute an equal amount of its share of its surtax proceeds (i.e., \$750,000 each year for a total of \$1,500,000) for the construction of the aforesaid senior recreation center.

~~5-6.~~ Counterparts. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.

~~6-7.~~ Florida Department of Revenue. Upon adoption of an ordinance levying the local infrastructure surtax by the County, the County shall provide the State of Florida Department of Revenue with the distribution percentages established by this agreement prior to December 1, 2008.

~~7-8.~~ Filing with the Clerk of Court. A copy of this agreement and all subsequent amendments hereto shall be filed with the Clerk of Circuit Court of Alachua County, Florida, upon its execution ~~of~~ by all parties hereto.

8.9. Entire Agreement. This Agreement is the entire agreement between the parties and all understandings and agreements are incorporated in this Agreement. This Agreement supersedes any prior agreements between the parties relating to the local government infrastructure surtax.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal Agreement to be executed by their duly authorized officials on the day and year first above-written.

ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Rodney J. Long, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
J. K. "Buddy" Irby, Clerk  
  
(SEAL)

APPROVED AS TO FORM  
  
\_\_\_\_\_  
Alachua County Attorney

CITY OF GAINESVILLE

By: \_\_\_\_\_  
Pegeen Hanrahan, Mayor

ATTEST:

\_\_\_\_\_  
Kurt Lannon, Clerk  
  
(SEAL)

APPROVED AS TO FORM AND  
LEGALITY  
  
\_\_\_\_\_  
Gainesville City Attorney