

**INTERLOCAL AGREEMENT BETWEEN
ALACHUA COUNTY AND THE CITY OF GAINESVILLE
FOR DISTRIBUTION OF WILD SPACES &
PUBLIC PLACES ENVIRONMENTAL LANDS,
PARKS AND RECREATION ONE-HALF
PERCENT SALES TAX**

THIS INTERLOCAL AGREEMENT, is entered into this _____ day of _____, 2017 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, a municipal corporation of the State of Florida, by and through its City Commissioners (hereinafter referred to as “City”).

W I T N E S S E T H:

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 enter into this interlocal agreement to establish the allocation of Surtax proceeds in accordance with the formulas in Section 218.62, Florida Statutes, except that after calculation of the respective distributions to the County and City, the County shall (1) allocate an additional \$3 million of the County's formula share of Surtax proceeds to the City for projects of mutual interest of the County and City, and (2) allocate another \$3 million of the County's formula share of Surtax proceeds to support a competitive grant program available to all nine of Alachua County's municipalities, including the City;

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. 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 2, below. The levy of the Surtax shall commence on January 1, 2017, and shall continue for a period of eight (8) years from that date and terminate on December 31, 2025, provided a majority of the electors in the County approve the levy of the Surtax at a referendum called for such purpose.

2. Distribution and Use of Surtax Proceeds.

(A) 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 in all municipalities and the unincorporated area of the County. The distribution of Surtax proceeds among the County and the municipalities within the County, including the City, shall be in accordance with the formulas in Section 218.62, Florida Statutes, as in existence on the date of execution of this Agreement.

(B) The County shall allocate \$6 million of its statutory formula share of Surtax proceeds for municipal projects, as follows:

(1) The County shall allocate \$3 million to the City for the parks and recreational projects listed in Exhibit A. The City will be responsible for acquisition and construction of the projects identified in Exhibit A. The City shall also acknowledge the County's contribution by erecting a sign including the verbiage, "Jointly funded by Alachua County and the City of Gainesville." Upon completion of each project, the County shall reimburse fifty percent (50%) of the amount expended by the City for such project (up to an aggregate total of \$3 million) upon submission by the City of a requisition to the Clerk, accompanied by such documentation as the Clerk may reasonably require.

(2) The County shall allocate an additional \$3 million to fund a competitive grant program available to Alachua County's nine municipalities, including the City, for projects described in the foregoing subsection (A). The competitive grant program shall be established no later than July 1, 2018.

3. Counterparts. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.

4. 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 by all parties hereto.

5. 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 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: _____
Ken Cornell, Chair
Board of County Commissioners

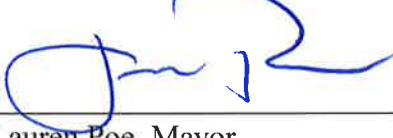
ATTEST:

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

APPROVED AS TO FORM

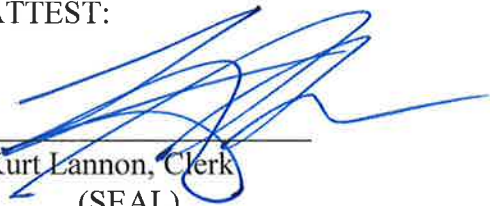
Alachua County Attorney

CITY OF GAINESVILLE


By: 

Lauren Poe, Mayor

ATTEST:



Kurt Lannon, Clerk
(SEAL)

APPROVED AS TO FORM AND LEGALITY


Gainesville City Attorney

Exhibit A

- a. Citizens Field Renovations
- b. Cofrin Nature Park
- c. Cultural Arts Roadmap Implementation (352Arts)
- d. Cultural Arts Park & Art Center (352Arts)
- e. Glen Springs Acquisition and Development
- f. Hogtown Creek Headwaters Nature Park
- g. Palm Point Nature Park Expansion
- h. Sweetwater Branch Recreational Trail
- i. Sweetwater Wetlands Park
- j. Projects on the City's project list of mutual interest to the City of Gainesville and Alachua County