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CONTRACT NO. C89-370  
BCC APPROVED 6/27/89

INTERLOCAL AGREEMENT

90066698

CONCERNING DISTRIBUTION OF THE  
LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

THIS INTERLOCAL AGREEMENT, by and among the County of Sarasota, (hereinafter referred to as the COUNTY); the City of Sarasota, the City of Venice, the City of North Port, and the Town of Longboat Key (hereinafter referred to collectively as the MUNICIPALITIES); and The School Board of Sarasota County (hereinafter referred to as the "SCHOOL BOARD");

\*\* OFFICIAL RECORDS \*\*  
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W I T N E S S E T H

WHEREAS, Section 212.055(2), Florida Statutes, ("the Statute") authorizes the levy of a discretionary sales surtax (the "Surtax") of one percent throughout Sarasota County, Florida, subject to referendum approval, to finance, plan, and construct infrastructure defined as any fixed capital expenditure or fixed capital costs associated with the construction, reconstruction, or improvement of public facilities which have a life expectancy of 5 or more years and any land acquisition, land improvement, design, and engineering costs related thereto; and

WHEREAS, pursuant to Section 212.055(2), Florida Statutes, the COUNTY and the MUNICIPALITIES may enter an interlocal agreement providing for the distribution of the Surtax; and

WHEREAS, as determined pursuant to Sarasota County Home Rule Charter Ordinance No. 89-40,

Public school facilities are public facilities that play an essential role in preserving and enhancing the public health, safety, and general welfare of the people of Sarasota County. Local Governments are authorized and required to coordinate with the county school board to ensure that such essential public facilities are available concurrent with the impacts of growth in the school population as recognized by Sections 163.3161(3), 163.3164(23), 163.3177(6)(h), 7(e), and (10)(h), Florida Statutes. Accordingly, it is a proper local governmental purpose to ensure that adequate public school facilities are available to meet the county's needs.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants contained herein, the COUNTY, the MUNICIPALITIES, and SCHOOL BOARD hereby covenant and agree as follows:

Section 1. During the period of the levy of the Surtax, the proceeds of the Surtax shall be distributed among the COUNTY and the MUNICIPALITIES in the same proportion that the population of each municipality and the unincorporated area bears to the entire population of Sarasota County.

Section 1.1 The foregoing proportionate distribution for the Surtax collected between September 1, 1989, and September 30, 1990, is as follows:

<u>Jurisdiction</u>	<u>Percent</u>
Sarasota County	69.06
City of Sarasota	19.96
City of Venice	5.92
City of North Port	3.55
Town of Longboat Key	1.51

173  
RETURNED BY DAVID M. LEVIN  
OF KARD, MERRILL, CULLIS, TIMM, FUREN &  
ONSORNO P.A.  
2000 MAIN STREET, SUITE 400, SARASOTA, FL 34237

Section 1.2 The distribution of the proceeds of the Surtax shall be automatically adjusted annually effective October 1, 1990, and effective October 1 of each fiscal year thereafter, while this Surtax shall remain in effect, pursuant to the final population estimates issued under Section 186.901, Florida Statutes for the preceding calendar year. The COUNTY shall notify the Department of Revenue as to the annual adjustment of the distribution formula at least 60 days prior to October 1 of each year.

Section 2. Twenty-five percent of the proceeds of the Surtax distributed to the COUNTY and the MUNICIPALITIES shall, within 20 days after receipt of said funds, be paid over to the SCHOOL BOARD, provided that said proceeds shall be used by the School Board solely to finance, plan, and construct infrastructure as defined in the Statute, and for such other purposes now or hereafter authorized by law for such proceeds, and provided further that said proceeds shall not be used to supplant or replace user fees or to reduce ad valorem taxes existing prior to the levy of the Surtax.

Section 3. This interlocal agreement may be signed in counterparts by the parties hereto. This interlocal agreement shall take effect upon the last date of execution by a party to this agreement.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By: *[Signature]*

Chairman

Date June 27, 1989 signed by the COUNTY

ATTEST:

KAREN E. RUSHING, Clerk of the  
Circuit Court and Ex-Officio Clerk  
of the Board of County Commissioners  
of Sarasota County, Florida

By: *Paula Clintaman*

Deputy Clerk

CITY OF SARASOTA

By: *[Signature]*

Mayor

Date 6/8/89 signed by the CITY  
OF SARASOTA

ATTEST:

*Billy E. Robinson*  
DEPUTY City Auditor and Clerk

APPROVED AS TO FORM AND CORRECTNESS

*Richard J. Taylor*  
AS CITY ATTORNEY

CITY OF VENICE

By: *[Signature]*

Mayor

Date 6-27-89 signed by the CITY  
OF VENICE

ATTEST:

*S. J. Smianski*  
City Clerk

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CITY OF NORTH PORT

By: 

Mayor

6/27/89

Date signed by the CITY  
OF NORTH PORT

ATTEST:

  
City Clerk

TOWN OF LONGBOAT KEY

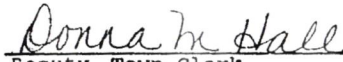
By: 

Vice- Mayor

June 28, 1989

Date signed by the TOWN  
OF LONGBOAT KEY

ATTEST:

  
Deputy Town Clerk

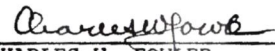
THE SCHOOL BOARD OF SARASOTA  
COUNTY

By: 

6/29/89

Date signed by THE SCHOOL  
BOARD OF SARASOTA COUNTY

ATTEST:

  
CHARLES W. FOWLER,  
Ex-Officio Secretary to the  
School Board

RECORDED IN OFFICIAL  
RECORDS FILED  
JUN 22 4 05 PM '90  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL.