

**INTERLOCAL AGREEMENT AMONG PASCO COUNTY, CITY OF DADE CITY,
CITY OF NEW PORT RICHEY, CITY OF PORT RICHEY, CITY OF SAN ANTONIO,
TOWN OF ST. LEO, CITY OF ZEPHYRHILLS, AND THE DISTRICT SCHOOL BOARD
OF PASCO COUNTY FOR DISTRIBUTION OF PROCEEDS FROM THE 2025
INFRASTRUCTURE SURTAX PROCEEDS AMONG THE COUNTY, THE
MUNICIPALITIES WITHIN PASCO COUNTY, AND THE DISTRICT**

THIS INTERLOCAL AGREEMENT is among Pasco County, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the "County," and the governing bodies of the Municipalities of Dade City, New Port Richey, Port Richey, San Antonio, St. Leo, and Zephyrhills (hereinafter referred to as "Municipalities") and the District School Board of Pasco County (hereinafter referred to as the "District") for the proposed 2025 Penny for Pasco and does not supersede the Interlocal Agreement among the parties pertaining to the 2015 Penny for Pasco and executed on July 10, 2012 by the County.

W I T N E S S E T H:

WHEREAS, in 2012, the parties hereto entered into an Interlocal Agreement pertaining to a local government infrastructure surtax, as authorized by Florida Statute, known as the Penny for Pasco, and now seek to continue their cooperative relationship through 2039; and

WHEREAS, Section 212.055(2), Florida Statutes, provides the County with the authority to levy, in addition to other taxes allowed by law, a local government infrastructure 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, the parties have been good stewards of the surtax proceeds received pursuant to the Penny for Pasco approved by the majority of the electors of Pasco County in a referendum election on November 6, 2012; and

WHEREAS, the Penny for Pasco approved in 2012 provided the funding for necessary and needed capital expenditures that otherwise would have been funded through ad valorem taxation, thus provided ad valorem tax relief to Pasco County's property owners; and

WHEREAS, the 2015 Penny for Pasco is a ten-year surtax the term for which shall end on December 31, 2024; and

WHEREAS, the parties to this Interlocal Agreement desire to bring to the Pasco County electorate for their consideration at a referendum election a Penny for Pasco to commence on January 1, 2025 and to continue until December 31, 2039; and

WHEREAS, the Municipalities located within Pasco County, Florida, are eligible to receive a portion of the surtax, and represent the County's municipal population within Pasco County,

Florida, and desire to jointly establish with the County the distribution percentages for the proceeds of the surtax pursuant to Section 212.055 (2)(c)1., Florida Statutes; and

WHEREAS, Section 212.055(2)(c)1, Florida Statutes, provides that this Interlocal Agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; and

WHEREAS, pursuant to the aforesaid enactments, the County and the Municipalities, in anticipation of the levy of the surtax, consent to the District receiving a portion of the surtax proceeds and desire to establish by this Interlocal Agreement the distribution percentages for dividing the surtax proceeds among the County, the Municipalities within Pasco County, and the District; and

WHEREAS, the District created the Pasco's School Oversight Committee to oversee the expenditure of the District's portion of the surtax proceeds and will continue to use the Oversight Committee until the expiration of the proposed 2025 Penny renewal and the exhaustion of all revenue received by the District pursuant to the Penny for Pasco Infrastructure Surtax; and

WHEREAS, Section 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

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

1. Purpose. This Interlocal Agreement is intended to consent to the District receiving a portion of the surtax proceeds and to provide for the distribution percentages for the proceeds of the surtax among the County, the Municipalities, and the District by the State of Florida Department of Revenue.

2. Consent. The parties hereto consent to placing the local government infrastructure surtax question on the ballot at the November 8, 2022, general election.

3. Distribution of Surtax Proceeds.

A. The surtax proceeds shall be distributed by the Florida Department of Revenue (Department) on a monthly basis pursuant to a formula which shall provide that the surtax proceeds shall be divided among the District (45%), the County (45%) and the Municipalities (collectively 10%). In accordance with Subsection 212.055(2)(c), Florida Statutes, the surtax proceeds shall be divided among and distributed on a monthly basis by the Department to the County, the Municipalities, and the District in the following percentages:

<u>Recipient</u>	<u>Share of Proceeds</u>
Pasco County	45.00%
City of Dade City	1.52%
City of New Port Richey	3.49%
City of Port Richey	.64%
City of San Antonio	.27%
City of St. Leo	.49%
City of Zephyrhills	3.59%
Pasco District School Board	45.00%

B. The distribution percentages listed in “A” above shall remain in effect from January 1, 2025, through December 31, 2039. However, subsequent to November 8, 2022, and throughout the duration of the levy of the surtax, the parties to this Interlocal Agreement, who are existing Municipalities, may meet and each in writing agree to a redistribution of the 10% of the surtax proceeds. In such an event the Ordinance levying the Local Government Infrastructure Surtax and this Interlocal Agreement shall be amended to reflect said revision to the distribution of the Municipalities’ portion of the 10%. Should the Municipalities fail to notify the County of any change to the distribution on or before July 1 of the year preceding the effective year of the redistribution, the distribution percentages shall remain unchanged. Prior to its effectiveness, written notice of any change to the distribution shall be given by the County to the Department as required by Section 212.055(2), Florida Statutes.

4. Use of Proceeds. The parties to this Interlocal Agreement shall each adopt by Resolution a brief general description of projects that will be funded from the surtax proceeds for the period of the tax through December 31, 2039.

5. Term. This Interlocal Agreement shall take effect upon execution by the parties. This Interlocal Agreement shall remain in full force and effect so long as the surtax is in effect and levied in accordance with the terms of the County’s Ordinance. The levy of the surtax shall commence on January 1, 2025, provided a majority of the electors in the County approve the levy of the surtax at a referendum called for such purpose.

6. Amendments to Agreement. Notwithstanding any other provision, this Interlocal Agreement may be amended in writing with the consent of all the parties.

7. Counterparts. This Interlocal Agreement may be executed in multiple counterparts, all of which taken together shall constitute the document.

8. 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 Interlocal Agreement.

9. Filing with Clerk of the Court. This Interlocal Agreement and all subsequent amendments hereto shall be filed in the official records of Pasco County, Florida, within ten days of its execution by all parties hereto.

10. Entire Agreement. This Interlocal Agreement is the entire agreement between the parties and all understandings and agreements are incorporated in this Interlocal Agreement. This Interlocal Agreement supersedes any prior agreements between the parties relating to the 2025 Penny for Pasco local government infrastructure surtax.

IN WITNESS WHEREOF, the parties hereunto have executed the foregoing agreement on the dates as set forth below.

[SEAL]

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

BY: _____

BY: _____

Date: _____

[SEAL]

CITY OF DADE CITY, FLORIDA

ATTEST:

Clerk

By:

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for City of Dade City

[SEAL]

CITY OF NEW PORT RICHEY, FLORIDA

ATTEST:

Clerk

By:

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for City of New Port Richey

[SEAL]

CITY OF PORT RICHEY, FLORIDA

ATTEST:

Clerk

By: _____

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for City of Port Richey

[SEAL]

CITY OF SAN ANTONIO, FLORIDA

ATTEST:

Clerk

By: _____

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for City of San Antonio

[SEAL]

TOWN OF ST. LEO, FLORIDA

ATTEST:

Clerk

By: _____

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for Town of St. Leo

[SEAL]

CITY OF ZEPHYRHILLS, FLORIDA

ATTEST:

Clerk

By: _____

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for City of Zephyrhills

[SEAL]

DISTRICT SCHOOL BOARD OF PASCO
COUNTY

ATTEST:

Clerk

By:

Print Name

Title

Date: _____

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Attorney for District School Board of Pasco County