

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20050066

1. REQUESTED MOTION:

ACTION REQUESTED: Approve Interlocal Agreement between Lee County Board of County Commissioners and the Lee County Industrial Development Authority (IDA) for fiscal year 04/05 \$80,000.00 to the IDA for implementation of the marketing plan.

WHY ACTION IS NECESSARY: Sets out the terms by which the IDA will implement the marketing plan and administer the incentive program.

WHAT ACTION ACCOMPLISHES: Provides funding for the marketing plan and the administration of the business incentive program.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:**

CIA

3. MEETING DATE:

02-08-2005

4. AGENDA:

CONSENT
ADMINISTRATIVE

APPEALS
PUBLIC
WALK ON

TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

STATUTE FS 159
ORDINANCE

ADMIN. CODE
OTHER

6. REQUESTOR OF INFORMATION:

A. COMMISSIONER
B. DEPARTMENT *Economic Development*
C. DIVISION
BY: *Regina Smith, Director*

7. BACKGROUND:

As part of the FY 04/05 budget approval process, the Board of County Commissioners approved the Economic Development office budget, which contained \$80,000 for marketing Lee County. The IDA, in cooperation and agreement with the Horizon Council and the Economic Development office, will implement a comprehensive economic marketing program. In addition, the IDA administers the Lee County Job Opportunity Program, Lee County's business incentive program.

Funds (\$80,000) are available in account string: KJ5520400100.504810

General Fund – Independent Division – Economic Development – Promotional Advertising.

8. MANAGEMENT RECOMMENDATIONS:

Staff recommends approval.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>RSmits</i>	N/A	N/A		<i>5/2/05 1-26-05</i>	<i>11/24/05</i>	<i>11/27/05</i>	<i>1/28/06</i>	<i>1/29/05</i>	<i>1-26-05</i>

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

RECEIVED BY
COUNTY ADMIN:
1/20/05
3:35 pm SLW
COUNTY ADMIN
FORWARDED TO: *1/20/05*

Rec. by CoAtty
Date: *1-20-05*
Time: *2:45*
Forwarded To:
Admin 2-05

INTERLOCAL AGREEMENT

This Interlocal Agreement is made and entered into this 1st day of October, 2004, by and between Lee County, a political subdivision of the state of Florida, by and through its Board of County Commissioners (hereafter referred to as "County") and the Lee County Industrial Development Authority, an independent public body (hereafter referred to as "IDA").

WITNESSETH:

WHEREAS, the IDA was established as a corporate and political public body pursuant to the Industrial Development Act as set forth in Chapter 159, Florida Statutes, and has such powers as are enumerated in Parts II and III of Chapter 159, F.S., as amended, including the financing of capital projects such as industrial and manufacturing plants and expanding the existing industry and business base of Lee County; and

WHEREAS, the exercise of such powers granted to the IDA is found to have a lawful and appropriate public and county purpose; and

WHEREAS, the County deems it appropriate to provide funding to the IDA to encourage the economic development of Lee County.

NOW, THEREFORE, in consideration of the above and the mutual covenants hereinafter contained, the parties hereto agree as follows:

1. The IDA will remain as an independent Authority as provided in Part III, Chapter 159, Florida Statutes, as amended, and shall perform those activities authorized by Chapter 159, F.S., which are necessary or appropriate for the public purposes described in the Florida Industrial Development Financing Act. In addition, it shall perform those activities necessary for the administration of its outstanding bonds. It shall expend all unencumbered funds in accordance with the provisions of Chapter 159, F.S., Parts II and III.

2. The County shall solicit and consider recommendations of the IDA regarding general economic development priorities of Lee County. The IDA will coordinate its goals and objectives with the Horizon Council and other economic development groups in Lee County, so as to further the overall economic development goals and objectives of Lee County. The IDA will assist the board and the Horizon Council in the implementation of the recommendations for economic development as approved by the County.

3. The County shall provide funding for the IDA as follows:

a. The IDA shall retain all fees collected in issuance of industrial development bonds. These funds are to be used to further promote economic development activities in coordination with the Economic Development Office and the Horizon Council.

- b. The County shall provide four part-time County staff and adequate offices and meeting space to assist the IDA's obligations to promote economic development marketing, administering of state and county incentive programs, and developing industrial revenue bonding.

4. The IDA shall administer the Lee County portion of the Florida Qualified Targeted Industries Tax Refund Program (QTI) as specified in the Lee County Business Incentive Plan. The IDA shall review completed application forms submitted by interested businesses and shall make a recommendation to the Board of County Commissioners.

5. The IDA will administer the Job Opportunity Program as specified in the Lee County Business Incentive Plan. The IDA will develop and modify, as needed the application form, exhibits, and procedures for the program. Interested businesses may submit an application to be reviewed and approved by the IDA. The IDA has the authority to enter into a performance agreement with the business applicant. Any award approved by the IDA shall be paid based on vouchered expenses on a reimbursement basis only. Sufficient funds for the Job Opportunity Program will be provided to the IDA by the County prior to the commitment of such funds by the IDA to any applicant. These funds will be placed by the IDA into an interest bearing account with interest remitted annually to the County.

6. The County shall have the right at any time to direct an accounting of the IDA's expenditure of County grant funds. The IDA agrees to provide to the County prompt access to all such IDA financial records upon the County's request for the purposes of such accounting or otherwise. The requirements of this paragraph shall survive the termination of this agreement.

7. The County shall be held harmless by the IDA for any expenditure by the IDA hereunder, and shall further be held harmless as to actions of its staff members while providing clerical and administration support to the IDA. The requirements of this paragraph shall survive the termination of this agreement.

8. The IDA shall provide the County with access to all information, reports, data, records and documents it may obtain regarding business prospects, but it is understood by both parties that these records or documents shall remain in the possession of the IDA. All information, records, reports, data and documents which are subject to the confidentiality provisions of § 288.075, Florida Statutes, shall be held confidential by the IDA insofar as it may legally do so.

9. This agreement shall commence on the date set forth above and shall terminate on September 30, 2005, except for those provisions that by their terms explicitly survive such termination.

ATTEST:
CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Chairman

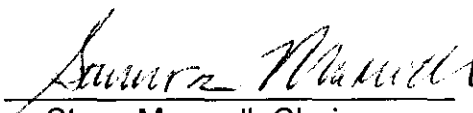
APPROVED AS TO FORM:

By: _____
Office of County Attorney

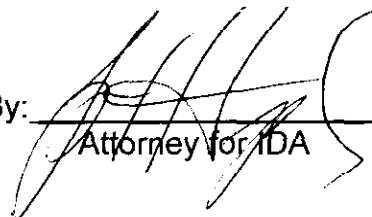
ATTEST:

By: _____

LEE COUNTY INDUSTRIAL
DEVELOPMENT AUTHORITY

By: 
Steve Maxwell, Chairman

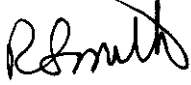
APPROVED AS TO FORM:

By: 
Attorney for IDA

**MEMORANDUM
FROM THE OFFICE OF
ECONOMIC DEVELOPMENT**

2005 JAN 19 11:59 AM
1180 100 00011000

To: Scott Covert
Lee County Attorney's Office

From: Regina Smith 
Executive Director

Date: January 18, 2005

Re: BOCC Blue Sheet No. 20050066

Attached please find Blue Sheet No. 20050066 for the approval of the Interlocal Agreement between Lee County and the Industrial Development Authority. We would appreciate your review and approval so that this may be considered by the BOCC at the February 8, 2005, board meeting.

Approval and execution of this Agreement by the Industrial Development Authority occurred at the December 10, 2004 IDA Board Meeting.

Thank you.