

**INTERLOCAL AGREEMENT FOR TRANSFER OF
ANIMAL CONTROL SERVICES**

Certified A-True Copy
of 3 page document
this 27th day of Oct. 2009
DAVID R. ELLSPERMAN
Clerk of Court
BY *[Signature]*
D.C.

THIS INTERLOCAL AGREEMENT is made and entered into this 20th day of October, 2009, by and between MARION COUNTY, a political subdivision of the State of Florida (COUNTY), and the CITY OF OCALA a municipal corporation in the State of Florida (CITY);

WHEREAS, the parties are public agencies as defined in Section 163.01, Florida Statutes, and have the authority to enter into Interlocal agreements and exercise jointly with any other public agency any power, privilege, or authority which they share in common and which each might exercise separately, as provided in Section 163.01, Florida Statutes; and

WHEREAS, COUNTY has an animal control unit, commonly referred to as "Animal Control"; and

WHEREAS, COUNTY operates the Marion County Animal Center; and

WHEREAS, CITY has in the past funded and operated its own animal control services for the citizens of the City of Ocala; and

WHEREAS, CITY residents partially fund the COUNTY'S Code Enforcement and Animal Control services in part through their payment of the COUNTY'S General Fund Ad Valorem tax assessment; and

WHEREAS, because CITY residents pay a pro rata share of the expense to provide these Animal Control services it is appropriate they also receive such benefits; and

WHEREAS, the CITY recognizes that additional start up costs exist for the COUNTY to begin providing Animal Control services within the City of Ocala and therefore it is appropriate that additional funding, personnel and equipment be provided by the CITY to the COUNTY in the initial years of this transition for 2010, 2011 and 2012.

WHEREAS, the COUNTY agrees to henceforth provide animal control services in and for the CITY through its animal services; and

IN CONSIDERATION of the mutual terms, covenants, and conditions contained herein, and other good and valuable consideration acknowledged by both parties, the parties hereby agree as follows:

1. COUNTY agrees to henceforth from the effective date of this agreement to provide animal control services for the CITY through its Animal Services Department

throughout the corporate limits of the City of Ocala as they exist now or exist in the future as they may become redefined by annexation or de-annexation. The animal control services provided shall be the same animal control services provided in the unincorporated area of the County.

2. To aid in the transition, CITY agrees to permanently transfer ownership of the property listed in Exhibit A and agrees to execute any documents necessary to accomplish such transfer.

3. CITY agrees that on the effective date of this agreement the following two (2) animal services employees shall become employees of Marion County: Greg Varnum and Scott Daughtry. The transferred employees will retain all tenure or length of service and accrued time to date for eligibility for sick leave, annual leave, and any other benefits derived from the length of service formulas, with the exception of retirement benefits. The transferred employees shall receive the same benefits and be subject to the same Marion County Employee Manual as all other County employees. Retirement benefits of transferred employees shall be subject to the Florida Statutes and rules governing transfer, merger or consolidation of governmental units, services, or functions.

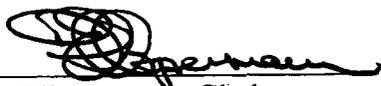
4. To fund the transition, The CITY agrees to pay to the COUNTY a graduated fee payment plan over three years in the following amounts:

1. \$150,000 for FY 2009-2010 payable prior to January 1, 2010;
2. \$125,000 for FY 2010-2011 payable prior to January 1, 2011;
3. \$100,000 for FY 2011-2012 payable prior to January 1, 2012.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year above first written.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

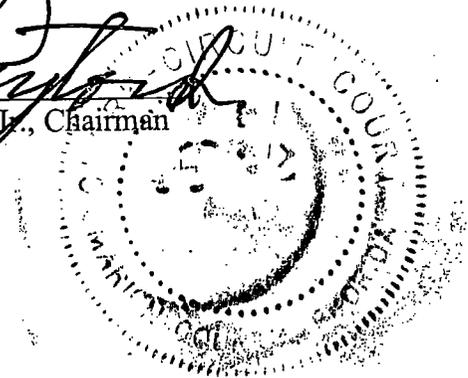


David R. Ellspermann, Clerk

By: 

James T. Payton, Jr., Chairman

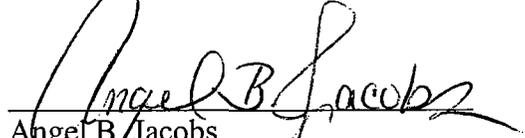
Approved as to Form
and Legal Sufficiency





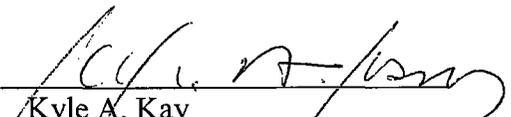
County Attorney

ATTEST:



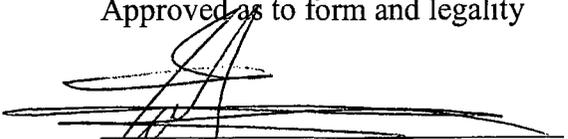
Angel B. Jacobs
Interim City Clerk

CITY OF OCALA

By: 

Kyle A. Kay
President, Ocala City Council

Approved as to form and legality



Patrick G. Gilligan
City Attorney

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ACCEPTED BY CITY COUNCIL
October 16, 2009
DATE
OFFICE OF THE CITY CLERK