

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF HOLLYWOOD, FLORIDA, ESTABLISHING AN  
APPLICATION FEE FOR UNSOLICITED PROPOSALS  
PURSUANT TO SECTION 287.05712, FLORIDA  
STATUTES (PUBLIC-PRIVATE PARTNERSHIPS).

WHEREAS, in 2012, the Florida Legislature passed and adopted House Bill 337, which created Section 287.05712, Florida Statutes to provide for public- private partnerships; and

WHEREAS, the intent of the Legislature in passing Section 287.05712, Florida Statutes, was to encourage investment in the state by private entities; to facilitate various bond financing mechanisms, private capital, and other funding sources for the development and operation of qualifying projects, including expansion and acceleration of such financing to meet the need; and to provide the greatest flexibility to public and private entities contracting for the provision of public services; and

WHEREAS, Section 287.05712, Florida Statutes, defines a Qualifying project as a “facility project that serves a public purpose, which includes but is not limited to the following:

- Any ferry or mass transit facility;
- Vehicle parking facility;
- Airport or seaport facility;
- Rail facility or project;
- Fuel supply facility;
- Oil or gas pipeline;
- Medical or nursing care facility;
- Recreational facility;
- Sporting or cultural facility;
- Educational facility or other building/facility that is used or will be used by a public education institution;
- any other public facility or infrastructure that is used/will be used by the public at large or in support of a public purpose or activity;
- an improvement, including equipment, of a building that will be principally used by a public entity or the public at large, or that supports a service delivery system in the public sector; or
- a water, wastewater, or surface water management facility or other related infrastructure.”

WHEREAS, Section 287.05712(4)(a), Florida Statutes provides that: "The responsible public entity may establish a reasonable application fee for the submission of an unsolicited proposal under this section. The fee must be sufficient to pay the costs of evaluating the proposal. The responsible public entity may engage the services of a private consultant to assist in the evaluation"; and

WHEREAS, the City is interested in considering such public-private partnership proposals and, as such projects will need to be reviewed in accordance with Section 287.05712, Florida Statutes, it is necessary to establish an application fee;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That an application fee for the submission of an unsolicited proposal to the City of Hollywood, which fee must be sufficient to pay the costs of evaluating the proposal, including those of a private consultant to assist in the evaluation is hereby established.

Section 2: That City shall require an initial deposit of twenty-five thousand dollars (\$25,000.00) toward the application fee. This fee may increase based on the nature of the proposal and the complexity of the review required. The estimated application fee shall be paid prior to the City's evaluation of the proposal. The City shall refund any portion of the application fee deposit that exceeds the City's costs of evaluating the proposal.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
for the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY