RESOLULTION 07-09

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA DESIGNATING THE CITY MANAGER AND THE CITY'S ECONOMIC DEVELOPMENT DIRECTOR AS THE OFFICIAL REPRESENTATIVES OF THE CITY OF WINTER GARDEN AUTHORIZED TO RECEIVE AND DISTRIBUTE CONFIDENTAL INFORMATION PURSUANT TO THE SECTION 288.075, FLORIDA STATUTES, RELATING TO PLANS, INTENTIONS OR INTERESTS OF A PRIVATE CORPORATION, PARTNERSHIP OR PERSON TO LOCATE, RELOCATE OR EXPAND ANY OF ITS BUSINESS ACTIVITIES IN THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 288.075, Florida Statutes, provides that upon written request from a private corporation, partnership or person, records of an economic development agency which contain or would provide information concerning plans, intentions or interests of such private corporation, partnership or person to locate, relocate or expand any of its business activities in this state are confidential and exempt from s.119.07(1) and s.24(a), Art. I of the State Constitution; and

WHEREAS, the Legislature has determined that the disclosure of information while a business is still considering its site selection options could jeopardize a viable economic development project, as well as injure the business in the marketplace, and that the harm that would result from the release of sensitive business information or from the impairment of the effective administration of the state and local economic development efforts far outweighs the public benefit derived from release of such information. Furthermore, disclosure of financing records during negotiations between private and public entities would discourage economic development in general, and have a negative impact on increasing the number of high-technology, research and development or high-paying jobs in the state; and

WHEREAS, an economic development agency within the scope of the statute is defined to include public economic development agency of a municipality; and

WHEREAS, in 2006, the City created an Economic Development division, which is an economic development agency within the scope of the statute; and

WHEREAS, the City Commission has deemed approval of this Resolution to be in the best interest of the residents and citizens of the City of Winter Garden.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA that:

Section 1. **Recitals.** The foregoing recitals are herby affirmed and ratified.

Section 2. **Authority.** This Resolution is adopted pursuant to the City of Winter Garden Charter and other applicable provisions of law.

Section 3. **Appointments.** The City Commission hereby designates the City Manager and the City's Economic Development Director as the official representatives of the City of Winter Garden authorized to receive and distribute confidential information pursuant to Section 288.075, Florida Statutes, relating to plans, intentions, or interests of a private corporation, partnership, or person to locate, relocate, or expand any of its business activities in the State of Florida, as specifically authorizes him/her to sign any request of confidentiality agreement consistent with the provision of Section 288.075, Florida Statutes.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND RESOLVED THIS 8th DAY OF November, 2007.

BY: Jack Quesinberry
Jack Quesinberry, Mayor/Commissioner

ATTEST:

BY: Kathy Golden
Kathy Golden, City Clerk