

NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL

8641 BAYPINE ROAD (SUITE 9) DEERWOOD CENTER, JACKSONVILLE, FLORIDA 32216
TELEPHONE (904) 737-7311

August 22, 1985

Ms. Gloria Guest
Board of County Commissioners
Post Office Box 1010
Fernandina Beach, Florida 32034

Dear Ms. Guest:

Enclosed you will find a copy of the Interlocal Agreement for the Northeast Florida Regional Planning Council. I hope this is the information you were requesting, it is the only agreement we have in writing with the seven counties in our region.

In regard to Nassau County's allocation, I have enclosed a copy of the County Revenue Allocation from FY 76/77 through and including FY 84/85. I believe this is the information you requested.

I hope this information will help to expedite the payment of our Invoice #4 to Nassau County for County Contributions.

If you need additional information, please contact me and I will do my best to assist you.

Thank you.

Sincerely,

Judith Kaye Hahn

Judith Kaye Hahn
Bookkeeper

Enc.

SERVING

BAKER

CLAY

DUVAL

FLAGLER

NASSAU

PUTNAM

ST. JOHNS

INTERLOCAL AGREEMENT
CREATING THE NORTHEAST FLORIDA
REGIONAL PLANNING COUNCIL

THIS AGREEMENT made and entered into the months of October and November, 1980, pursuant to authority of Section 160.04 Florida Statutes, by and between:

BAKER COUNTY,
CLAY COUNTY,
DUVAL COUNTY,
FLAGLER COUNTY,
NASSAU COUNTY,
PUTNAM COUNTY,
and
ST. JOHNS COUNTY

WITNESSETH:

WHEREAS, the Florida Regional Planning Council Act, Chapter 160, Florida Statutes, mandates the creation of a Regional Planning Council in each of the several comprehensive planning districts of the state; and,

WHEREAS, the Executive Office of the Governor has designated that Comprehensive Planning District IV shall be comprised of the counties of Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns; and

WHEREAS, the declared purpose of the Regional Planning Council Act is to establish a common system of regional planning councils for areawide coordination and related cooperative activities of federal, state and local governments and ensure a broad-based regional organization that can provide a truly regional perspective enhancing the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries; and

WHEREAS, it is the desire of the parties hereto to establish a regional planning council to serve in an advisory capacity to the constituent local governments in regional, metropolitan, county and municipal planning matters; and,

WHEREAS, the parties hereto desire to make the most efficient use of their powers to cooperate for mutual advantage in conducting the comprehensive regional planning process for the area within this comprehensive planning region; and

WHEREAS, the Executive Office of the Governor of the State of Florida is required by Part I of Chapter 23, Florida Statutes, to integrate

the services and plans of local governments and regional planning agencies into the State planning process through the extent feasible; and,

WHEREAS, the Local Comprehensive Planning Act of 1975, Section 163.3184(3) of the Florida Statutes assigns to regional planning agencies the responsibility to determine the relationship and effect of a local government's plan or element thereof to or on any regional comprehensive plan; and,

WHEREAS, the Environmental Land and Water Management Act, Chapter 380, Florida Statutes, assigns to regional planning agencies the duty to study, review and make recommendations concerning "areas of critical state concern: and "developments of regional impact;" and,

WHEREAS, the Office of Management and Budget, Executive Office of the President, designates the comprehensive regional planning agencies as areawide clearinghouses responsible for review and coordination regarding certain federal programs.

NOW, THEREFORE, for and in consideration of mutual promises, covenants benefits to accrue from conduct of a comprehensive regional planning process, and agreements herein contained and set forth, the member governments do hereby establish, pursuant to the authority of Section 160.04 Florida Statutes, the Northeast Florida Regional Planning Council located in Comprehensive Planning District IV consisting of the counties of Baker, Clay, Duval, Flagler, Nassau, Putnam and St. Johns, hereinafter referred to as the COUNCIL, a separate legal entity, and do further delegate such powers as are specified herein and agree as follows:

1. Purpose. The purposes of this agreement are:

(a) To provide local governments with a means of exercising the rights, duties and powers of a regional planning council as defined in Chapter 160 and Section 403.723, Florida Statutes, and of a regional planning agency as defined in Chapter 23, Chapter 163, and Chapter 380, Florida Statutes as amended, including those functions enumerated hereinabove by

legislative finding and declarations of Chapter 160, Florida Statutes and other applicable federal, state and local laws.

(b) To provide a means for conducting the comprehensive regional planning process.

(c) To provide regional coordination for local governments in the Northeast Florida region.

(d) To act in an advisory capacity to exchange, interchange, and review the various programs referred to it which are of regional concern.

(e) To promote communication among local governments in the region and the identification and resolution of common regional-scale problems.

(f) To cooperate with federal, state, local and non-governmental agencies and citizens to insure the orderly and harmonious coordination of Federal, State and local planning and development programs in order to insure the orderly and balanced growth and development of this region, consistent with the protection of the natural resources and environment of this region and to promote safety, welfare and enhance the quality of life of the residents of the region.

(g) To encourage and promote communications between neighboring regional planning districts in an attempt to insure compatibility in development and long range planning goals.

(h) To establish an organization that will promote areawide coordination and related cooperative activities of federal, state and local governments ensuring a broad based regional organization that can provide a truly regional perspective and enhance the ability and opportunity of local governments to resolve issues and problems transcending their individual boundaries.

2. Definitions.

(a) Appointed Representative - policy board member of the Council.

(b) Comprehensive Planning Districts - the geographic areas within the state specified by rule by the Executive Office of the Governor pursuant to Section 23.0115.

(c) Comprehensive Regional Policy Plan - a long-range guide for the physical, economic, and social development of the region which identifies regional goals and objectives and opportunities as embodied in the policies of the Council.

(d) Contribution - any monies received by the Council from a member government or otherwise.

(e) Council - the Northeast Florida Regional Planning Council.

(f) Elected Official - a member of the governing body of a municipality or county or a county elected official chosen by the governing body.

(g) Federal or Federal Government - the government of the United States or any department, commission, agency or other instrumentality thereof.

(h) Governing body - the Board of County Commissioners or City Council of any member government.

(i) Local General Purpose Government - any municipality or county created pursuant to the authority granted under ss. 1 and 2, Article VIII of the State Constitution.

(j) Member Government - any county within the Northeast Florida Comprehensive Planning District which is a signatory to this interlocal agreement.

(k) Participating Member Unit - any incorporated municipality or group of municipalities located within a member government.

3. Effective Date, Duration, Amendment, Withdrawal and Termination.

(a) The effective date of the COUNCIL shall be upon execution of this interlocal agreement by member governments.

(b) This agreement shall continue in effect until terminated as provided in Section 3(e).

(c) Any amendment to this agreement shall be in writing and set forth an effective date. To put into effect any amendment, each member government shall adopt by a majority vote of its governing body a resolution authorizing its chairman or chief elected official to execute the amendment.

(d) Any member government hereto may withdraw its membership by resolution duly adopted by its governing body, and upon giving written notice of withdrawal to the COUNCIL and the Chairman or chief elected official of the governing body of each member government, without the effect of terminating this agreement. The withdrawal shall only be effective at the close of terminating this agreement. The withdrawal shall only be effective

at the close of the fiscal year (September 30), with all funding and contractual obligations of the withdrawing member government continuing until that date. All property, real or personal, of the COUNCIL on the effective date of such withdrawal shall remain the property of the COUNCIL and the withdrawing member governments shall have no right thereto.

(e) This agreement may be terminated by resolution duly adopted by the governing body of all member governments. The effective termination date shall be after the date of said resolution unless contractual obligations would require a later termination date.

(f) In the event there is a complete termination of this agreement, as provided for in Section 3 (e), which would involve the disposition of the property of the COUNCIL, such property shall be liquidated and each member government shall be entitled to a share of the proceeds bearing the same ratio to the total proceeds as the contribution of that member government.

(g) Further, in the case of a complete termination of this agreement, the non-Federal matching contribution required to match any approved Federal or State grant shall be firm. The project(s) shall be completed and the required reports and accounting shall be submitted to the appropriate agency. However, the preceding notwithstanding, if the program may be canceled or terminated early, then it shall be distributed, and any excess matching funds contributed by the COUNCIL shall be distributed, to each member government.

4. Membership, Voting and Term of Office.

(a) Each member government shall have four (4) appointed representatives; two (2) of which shall be elected representatives of the governing body of each of the member governments; one (1) of which shall be an elected municipal representative from each member government; and one (1) additional representative from each member government.

The total number of appointed representatives on the COUNCIL shall be twenty-eight (28).

(b) The Governor of the State of Florida shall appoint a maximum of nine (9) voting members. Each member government in the region shall have

at least one (1) representative appointed by the Governor.

Two (2) of the nine (9) of the Governor's appointments shall have their place of residence in the same county, provided however, that one (1) of the two (2) such appointments in the same county shall be a County Commissioner.

(c) Five (5) member governments shall appoint two (2) elected representatives from their respective governing body while two (2) member governments shall appoint one (1) elected representative from their respective governing body.

(d) Participating member units within each member government shall jointly select a representative from the governing body of one (1) of the participating member units to serve as their representative.

(e) The names of all of the appointed representatives shall be recorded in the COUNCIL minutes.

(f) For the conducting of all business, each appointed representative shall have an equal vote which shall be one (1) vote for each appointed representative. In those instances where the COUNCIL may have under consideration a matter which will impact only one member government and a vote of the COUNCIL on this matter is needed or required, then a weighted vote may be taken on the question according to the following procedure:

1. Weighted Vote Procedure - A weighted vote may be invoked when the majority of the representatives of two (2) or more member governments request the same before a vote on the subject question is called. When a weighted vote has been called for, then the procedure for voting shall be as follows:

Each representative shall have one vote except that the county which is solely impacted by the subject under consideration shall have an additional four (4) votes per representative. The total votes available on a weighted vote question shall then equal forty-four (44) votes. A majority vote of those present and voting is needed to pass a weighted vote question. Once a vote on a weighted vote question has been taken, then it may be set aside only by two-thirds (2/3) vote of the member governments wherein each representative of a member government shall cast one (1) vote only.

(g) The basic term of office for appointed representatives of the COUNCIL shall be for two (2) years commencing with the October meeting each year. All representatives shall serve until a replacement is appointed by the appropriate appointing authority.

5. Officers. The officers of the COUNCIL shall consist of:

(a) A chairman, who shall be responsible for overseeing the working organization of the COUNCIL, for seeing that all policies of the COUNCIL are carried out, and for presiding over all COUNCIL meetings. The chairman or a designated representative shall be ex officio member of all subsidiary committees and boards.

(b) A vice chairman, who shall preside in the chairman's absence or inability to act. The vice chairman shall perform such other functions as the COUNCIL may from time to time assign.

(c) A secretary-treasurer, who shall be responsible for minutes of the meeting, keeping the roll of members, the financial affairs of the COUNCIL and such other duties as may be assigned.

(d) The original officers shall be elected at the first regular meeting of the COUNCIL and shall serve until the first annual election meeting as determined in Section 6 (a).

6. Meetings.

(a) The annual election of officers shall be held during the October meeting in each year.

(b) Regular meetings shall be held on the days and times established by the COUNCIL.

(c) Special meetings shall be called by the chairman either at his/her discretion or when he/she is requested by at least three (3) appointed representatives, none of which may be from the same member government; provided adequate notice shall be given to all appointed representatives stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.

(d) The place and time of each meeting shall be determined by the membership prior to the adjournment of the previous meeting. In the absence of such determination, the time and place of the meeting(s) shall be determined by the chairman.

(e) All meetings of the COUNCIL shall be open to the public.

(f) The secretary-treasurer or his/her nominee, shall keep minutes of each meeting and distribute a copy thereof to each member government.

7. Finances.

(a) The work year and fiscal year of the COUNCIL shall be the twelve (12) months beginning the first day of October and ending the thirtieth day of September.

(b) On or before July 15 of each year, the COUNCIL shall adopt an annual budget and certify a copy thereof to the Clerk or authorized recipient of the governing body of each member government. Each member government shall contribute such proportionate cash amounts as determined by the COUNCIL, and approved by its governing body, that is required to make up the remainder of the annual budget.

(c) Contributions for each fiscal year shall be payable in installments as provided by the Rules of the COUNCIL.

(d) Each member government who does not remit the contribution amounts in accordance with the Rules of the COUNCIL shall lose all voting privileges until payment is made.

(e) The COUNCIL shall have the right to receive and accept in furtherance of its function; gifts, grants, assistance funds, bequeaths, and services from Federal, State and local governments or their agencies and from private and community sources, and to expend therefrom such sums of money as shall be deemed necessary from time to time for the attainment of its objectives in accordance with all applicable laws.

8. Powers. The COUNCIL shall have the powers granted herein including:

(a) The powers granted to regional planning councils or regional planning agencies by Chapter 23, Chapter 160, Section 163.3184(3), Section 403.723 and Chapter 380, Florida Statutes as now existing or as from time to time amended.

(b) To adopt rules of procedure for the regulation of its affairs and the conduct of its business, and to appoint from among its members a chairman to serve annually, provided that such chairman may be subject to reelection.

(c) To adopt an official name and seal.

(d) To maintain an office at such place or places within the comprehensive planning district as it may designate.

(e) To employ and to compensate such personnel, consultants, and technical and professional assistants as it shall deem necessary to exercise the powers and perform the duties set forth in this act.

(f) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.

(g) To hold public hearings and sponsor public forums in any part of the regional area whenever it deems it necessary or useful in the execution of its other functions.

(h) To sue and be sued in its own name.

(i) To accept and receive, in furtherance of its functions, funds, grants and services from the Federal Government or its agencies; from departments, agencies and instrumentalities of state, municipal or local government; or from private or civic sources. All regional planning councils shall, no later than January 30 of each year, render an accounting of the receipt and disbursement of all funds received by them to the Secretary of the Department of Community Affairs. The Secretary of the Department of Community Affairs shall consolidate all such reports and submit such consolidated reports to the Legislature no later than March 1 of each year. A separate accounting of the receipt and disbursement of funds received by each regional planning council pursuant to the Federal Older Americans Act shall be submitted to the Legislature no later than March 1 of each year.

(j) To receive and expend such sums of money as shall be from time to time appropriated for its use by any county or municipality where approved by the council and to act as an agency to receive and to expend federal funds for planning.

(k) To act in an advisory capacity to the constituent local governments in regional, metropolitan, county and municipal planning matters.

(l) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for disaster preparedness.

(m) To fix and collect membership dues, rents or fees where appropriate.

(n) To acquire, own, hold in custody, operate, maintain, lease or sell real or personal property.

(o) To dispose of any property acquired through the execution of an interlocal agreement under s. 163.01.

(p) To accept gifts, grants, assistance, funds or bequests.

(q) To conduct studies of the region's resources.

(r) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities.

(s) To select and appoint such advisory bodies as the COUNCIL may find appropriate for the conduct of its activities.

9. Severability. If any provision of this agreement or the application of such provision to any person or circumstance shall be held invalid, such invalidity shall not affect other provisions or applications of this agreement which can be given effect without the invalid provisions or applications, and to this end the provisions of this agreement are declared severable.

10. Signatories. It is expressly understood that the terms and conditions of this agreement shall be effective between and among those parties signatory hereto; and that the validity, force and effect of their agreement shall not be affected by one or more of the parties named herein not joining in this agreement, any other provisions of this agreement to the contrary notwithstanding.

IN WITNESS WHEREOF, the parties have officially adopted and caused this agreement to be executed and their signature to be affixed by their respective Chairman or chief official as of the day and year first above written.

BAKER COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

J. B. Mc Cormick
Chairman

FLAGLER COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Robert J. Revels
Chairman

CLAY COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Wayne J. Givens
Chairman

PUTNAM COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Robert J. Revels
Chairman

NASSAU COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

John F. Clayton
Chairman

ST. JOHNS COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Chester Benet
Chairman

DUVAL COUNTY, FLORIDA
BY ITS COUNCIL

Jake M. Godbold
JAKE M. GODBOLD, MAYOR

Form Approved:

James M. Hanson
Assistant Counsel

NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL

COUNTY REVENUE ALLOCATION

FISCAL BUDGET YEAR

COUNTY	FY 76/77 (Allocated)	FY 77/78 (Allocated)	FY 78/79 (Allocated)	FY 79/80 (Allocated)	FY 80/81 (Allocated)	FY 81/82 (Allocated)	FY 82/83 (Allocated)	FY 83/84 (Allocated)	FY 84/85 (Proposed)
BAKER	\$ 2,065	\$ 1,935	\$ 1,962	\$ 1,778	\$ 1,921	\$ 2,071	\$ 2,062	\$ 2,347	\$ 2,343 585
CLAY	8,079	7,885	7,776	7,406	8,135	9,077	9,107	10,519	10,525 2,631
DUVAL	42,127	34,199	34,163	31,323	33,829	32,138	<u>32,138</u>	^{34,138} 33,893	33,893 8,473
FLAGLER	1,126	1,173	1,216	1,144	1,294	1,475	1,586	2,000	2,000 500
HASSAU	4,955	4,985	4,810	4,320	4,549	4,453	4,404	5,177	5,125 1,287
PUTNAM	7,346	6,976	6,907	6,141	6,536	6,842	6,691	7,726	7,644 1,911
ST. JOHNS	6,802	6,449	6,612	6,074	6,577	6,944	7,012	8,338	8,470 2,117
TOTAL	\$73,500	\$63,512	\$63,446	\$58,186	\$62,841	\$63,000	\$63,000	\$70,000	\$ 70,000 17,5

POPULATION BASE AND PER CAPITA ALLOCATION

DUVAL	571,300	566,400	567,500	571,300	571,000	575,884	580,737	587,076
BALANCE SIX COUNTIES	195,700	202,700	210,200	218,900	228,000	236,344	246,546	255,464
TOTAL	767,000	769,100	777,700	790,200	799,000	812,228	827,283	842,540
PER CAPITA ALLOCATION	\$.083	\$.083	\$.075	\$.080	\$.079	\$.078	\$.085	\$.083

1st - Oct - Dec
 2nd - Jan - Mar
 3rd - Apr - June
 4th - July - Sept