

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	7/19/2011	[X] []	Consent Workshop	[] []	Regular Public Hearing		
Department:	Planning, Zoning & Building Department						
Submitted By:	Planning Division						
Submitted For:	County Atte	orney': =====	s Office				

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, withdrawing from the Multi-Jurisdictional Issues Coordination Forum Interlocal Agreement approved by Resolution No. 93-802.

Summary: The Board of County Commissioners, at its meeting on May 17, 2011, directed the County Attorney to discontinue County's participation in the Multi-Jurisdictional Issues Forum. The Issues Forum of the Coordination Program is a sunshine committee as it makes recommendations regarding countywide issues. By adopting this resolution the County is formally withdrawn from the Issues Forum. This action does not affect IPARC and the Executive Committee as there is no Sunshine Law conflict associated with IPARC or the Executive Committee. While both the IPARC Interlocal Agreement and the Multi-jurisdictional Issues Forum utilize the same executive committee, the details of the executive committee are spelled out in the IPARC Interlocal Agreement. Therefore, the IPARC Interlocal Agreement can function as a standalone document, when the county leaves the Issues Forum. County staff will continue to work with the executive committee and staff to develop a process to address ad hoc committee countywide issues on an as needed basis. <u>Countywide</u> (RB)

Background and Justification: The County and municipalities participate in intergovernmental coordination through the "Palm Beach County Intergovernmental Coordination Program". The Coordination Program is comprised of two elements: (a) an Issues Forum and Executive Committee comprised of elected officials; and (b) an Intergovernmental Plan Amendment Review Committee comprised of planning directors. The Sunshine Law applies to any gathering of two or more members of a board or committee regarding discussion of matters that will come before a board or committee in the foreseeable future, unless the committee's powers are limited to information-gathering or fact finding authority and only conducts such activities. Representatives of Forum and members of the Executive Committee of the Issues Forum are subject to the Sunshine Law regarding any issue that is reasonably foreseeable to come before the Committee or Forum. Because of the potential Sunshine Law issues, the recommendation is to discontinue participation in the Issues Forum by withdrawing as a party from the Multi-Jurisdictional Issues Coordination Forum Interlocal Agreement. Any party can withdraw from the agreements, with 60 days written notice to the Chair of the Executive Committee.

Attachments: BCC Resolution

Recommended by: **Executive Director**

Approved By:

Deputy County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal

Fiscal Years	20 <u>11</u>	20 <u>12</u>	20 <u>13</u>	20 <u>14</u>	20 <u>15</u>
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County	()				
In-Kind Match (County)	<u> </u>				
NET FISCAL IMPACT	X				
# ADDITIONAL FTE					
POSITIONS (Cumulative	e)				
Is Item Included In Curre	•		No		
Budget Account No.:	Fund Program	_ Departmen	nt Uni	t Obje	ect

B. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact.

C. Departmental Fiscal Review:

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III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

45

9/11

Contract Dev. and Contr

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

RESOLUTION NO. R-2011-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, WITHDRAWING FROM THE MULTI-JURISDICTIONAL ISSUES COORDINATION FORUM INTERLOCAL AGREEMENT APPROVED BY RESOLUTION No. 93-802

WHEREAS, the Board of County Commissioners approved the Multi-Jurisdictional Issues Coordination Interlocal Agreement (Issues Forum Agreement) by Resolution No. 93-802; and

WHEREAS, the Board of County Commissioners has determined it is appropriate to withdraw from the Issues Forum Agreement; and

WHEREAS, the Issues Forum Agreement provides in Article 10, Section 7 that any member may withdraw as a party to the agreement after October 1, 1994 upon 60 days written notice to the Chair of the Executive Committee; and

WHEREAS, Resolution No. 93-802 also approved the Comprehensive Plan Amendment Coordinated Review Interlocal Agreement which created the Interlocal Plan Amendment Review Committee (IPARC); and

WHEREAS, Palm Beach County remains a party to the Comprehensive Plan Amendment Coordinated Review Interlocal Agreement and intends to continue participation in the IPARC amendment review process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

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1. The foregoing recitals are hereby affirmed and ratified.

2. Palm Beach County hereby withdraws from the MULTI-JURISDICTIONAL ISSUES COORDINATION FORUM INTERLOCAL AGREEMENT effective upon providing 60 days written notice to the Chair of the Executive Committee.

3. This Resolution shall serve as the written notice of withdrawal from the Agreement and a copy of this resolution shall be provided to the Chair of the Executive Committee.

The foregoing Resolution was offered by Commissioner ______, who moved its adoption. The motion was seconded by Commissioner ______, and upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	
Commissioner Shelley Vana, Vice Chair	
Commissioner Paulette Burdick	
Commissioner Steven L. Abrams	
Commissioner Burt Aaronson	
Commissioner Jess R. Santamaria	
Commissioner Priscilla A. Taylor	

The Chair thereupon declared the Resolution duly passed and adopted this ______ day of ______, 2011.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: __

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

B١ County Attorney

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