

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: March 11, 2014

Consent Regular
 Public Hearing

Department: County Attorney

Submitted By: County Attorney

Submitted For: County Attorney

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: February 14, 2014 Memorandum to Local Governments and Seven50 Consortium Members and Partners within the Treasure Coast Region from Michael J. Busha, Executive Director of the Treasure Coast Regional Planning Council (TCRPC) and James Murley, Executive Director of the South Florida Regional Planning Council (SFRPC).

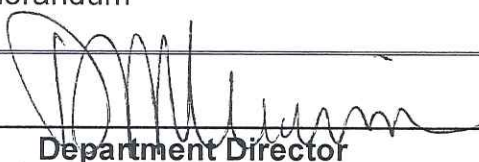
Summary: In early 2010, a number of public and private organizations within the Treasure Coast and South Florida regions entered into the Sustainable Communities Initiative (SCI) Memorandum of Understanding (MOU). The SFRPC, as the Grantee, entered into a three-year Cooperative Agreement with the United States Department of Housing and Urban Development (HUD) on February 21, 2011. After the grant was awarded, a number of partners entered into a Sustainable Communities Grant Consortium Agreement (Consortium Agreement) with the SFRPC. The BCC approved a MOU with the TCRPC and the SFRPC on May 18, 2010. The BCC approved the Consortium Agreement with the SFRPC in which the County agreed to provide in kind services valued at an amount not to exceed \$24,960.00 on July 19, 2011. The February 14, 2014 memorandum notes that with the grant period ending as of February 21, 2014 that the *“responsibilities and obligations in the MOU and Consortium Agreement are **satisfactorily concluded and no longer in effect.**”* The County has already provided the in-kind services that were the only contractual obligation in the July 19, 2011 Consortium Agreement. There was no contractual obligation to implement the Seven50 Plan in the MOU. The County cannot in any event contract away its legislative authority. Countywide (RPB)

Background and Policy Issues: The MOU stated in III.C. that “Nothing in this MOU shall obligate the signatories to expend appropriations, obligate funds or enter into any contract or other agreement.” The County had no contractual obligation regarding the Seven50 Plan other than the already satisfied in-kind contribution provided pursuant to the Consortium Agreement. The County Attorney was directed at the February 4, 2014 BCC meeting to explore options to clarify that the Seven50 Plan is not binding on the county. In light of the grant period ending on February 21, 2014, it is not necessary for the BCC to take further action regarding the Grant Agreement or the MOU.

Attachments:

- February 14, 2014 Memorandum

Recommended by: _____


Department Director

2/24/14
Date

Approved by: _____

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	*0	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

Reporting Category _____

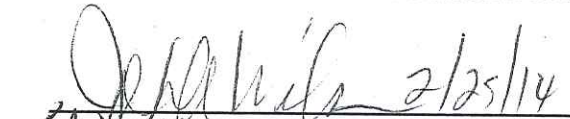
B. Recommended Sources of Funds/Summary of Fiscal Impact:

* No Fiscal Impact


C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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



 OFMB
 2/25/14



 Contract Development and Control
 2-27-14

B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.



TREASURE COAST REGIONAL PLANNING COUNCIL

INDIAN RIVER - ST. LUCIE - MARTIN - PALM BEACH

MEMORANDUM

To: All Local Governments and Seven50 Consortium Members and Partners within the Treasure Coast Region

From: Michael J. Busha, Executive Director, TCRPC 
James Muffey, Executive Director, SFRPC 

Date: February 14, 2014

Subject: **Satisfaction of the Interagency MOU and Sustainable Communities Initiative Agreement.**

Beginning in early 2010, a number of public, private and civic organizations within Treasure Coast and South Florida regions entered into the **Sustainable Communities Initiative (SCI) Memorandum of Understanding for the Southeast Florida Region (MOU)**. This MOU was between the different organizations within this seven-county area (Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie and Indian River) and South Florida Regional Planning Council. The purpose of the MOU was to: 1) prepare a successful SCI grant application, and 2) complete the work funded under the SCI grant should the grant be awarded (P.1, Section I).

With the South Florida Regional Planning Council as lead, the application was prepared and submitted to the US Department of Housing and Urban Development. The Southeast Florida Region was subsequently selected as 1 of 45 recipients of the first round of Sustainable Communities grants in 2010. South Florida Regional Planning Council as the grantee entered into a three-year Cooperative Agreement with HUD on February 21, 2011.

When the grant was awarded, a number of partners entered into a **Sustainable Communities Grant Consortium Agreement (Consortium Agreement)** with the South Florida Regional Planning Council. The goal of this subsequent agreement was to work together as a region to "carry out the activities outlined in the Southeast Florida Regional Partnerships Work Plan to create a "Regional Vision and Blueprint for Economic Prosperity." This Agreement (Section 3) formalized roles and commitments of Partnership and Consortium members to "work together over a three-year period to create the plan and lay the foundation for implementation of the Regional Vision and Blueprint." As the process began, an Executive Committee consisting of 32 members representing the region geographically, politically and across issues was established.

"Bringing Communities Together" • Est.1976

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Memorandum to all Local Governments and Seven50 Consortium Members and Partners within
the Treasure Coast Region
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For clarity and communication purposes, this committee branded the “Regional Vision and Blueprint for Economic Prosperity” for organizations within the seven-county region for the next 50 years as “Seven50: Southeast Florida’s Economic Prosperity Plan.”

With the Regional Prosperity Plan completed, the grant period ending as of February 21, 2014, and the foundation for implementation established, responsibilities and obligations in the MOU and Consortium Agreement are **satisfactorily concluded and no longer in effect**.

The Regional Prosperity planning process was specifically designed to be flexible. A process of this length is required to evolve and adapt to changing trends and conditions. As elements of the work plan changed to better satisfy our region’s needs, so did the originally envisioned implementation process. **Therefore, a new process to engage in implementation of key regional issues will be established. As with all planning activities to date, future participation in the implementation of one or more of the regional issues identified will be a voluntary process.** The Prosperity Plan outlines a series of key regional issues central to our economic prosperity. They represent elements that transcend local boundaries and that we stand a better chance of successfully accomplishing if we address them together. Coalitions specific to each of the issues identified will be created. Existing coalitions already working on these issues will be supported and enhanced. As these issues are addressed, each organization, whether public, private or civic will have the choice to participate in, or join one or more coalition at will and as appropriate to each individual community’s vision for its future. (<http://seven50report.org/implementation/regional-initiatives>).

The form the Prosperity Plan takes after the grant ends will be shaped by local governments and the private sector, working individually or together on implementing the parts of the plan they select; and setting aside what they do not want to implement. It will also be shaped by public and private individuals or groups who choose to continue refining the plan to keep it current.

The joint planning process resulted in a valuable resource document (www.seven50report.org) that contains an extensive toolkit, important information on current and future trends and conditions, a regional assets map, a seven-county transportation model and the first of its kind regional data warehouse. These non-mandatory, non-binding tools for economic competitiveness are and will continue to be available to those in the seven county region for free.

The South Florida and Treasure Coast Regional Planning Councils are grateful to all those who participated in this historic document. The Councils remain committed to a more prosperous region, to providing technical assistance as needed, supporting coalitions for the future and updating resources and information to assist local governments as they have been doing for over 38 years.