



MEMORANDUM

AGENDA ITEM #15b

DATE: APRIL 5, 2010

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: MEMORANDUM OF UNDERSTANDING AMONG THE FLORIDA REGIONAL
PLANNING COUNCILS

Introduction

The approval of this Memorandum of Understanding is intended to indicate the support of the South Florida Regional Planning Council in fostering cooperation among the various regional planning councils to provide technical assistance, mutual aid, and assistance in carrying out activities that are statewide in nature.

Background

The Florida Regional Councils Association (FRCA) was formed to facilitate coordination and cooperation among Florida's Regional Planning Councils and to represent and lobby for regional planning council interests. In recent years, Florida Regional Planning Councils have had more opportunities to participate in projects and programs that are statewide in nature, including a current effort that will lead to the completion of Regional Evacuation Studies for the entire state. FRCA considers it appropriate to formalize a relationship among the regional planning councils, to delineate responsibilities, and foster improved coordination among the Councils. The Memorandum of Understanding would also demonstrate to outside agencies a commitment to continued and improved cooperation among the Councils.

Recommendation

Authorize the Chair to sign the attached Memorandum of Understanding.

MEMORANDUM OF UNDERSTANDING BETWEEN THE REGIONAL PLANNING COUNCILS THAT COMPRISE THE FLORIDA REGIONAL COUNCIL'S ASSOCIATION REGARDING THE PROVISION OF TECHNICAL ASSISTANCE

WHEREAS, FLORIDA'S REGIONAL PLANNING COUNCILS, hereinafter referred to as the "RPCs", are the designated agencies for the Regional Planning implementation of Ch. 163 Florida Statutes, Ch. 186 Florida Statutes, Ch. 380 Florida Statutes; and

WHEREAS, the RPCs have review and recommendation responsibilities in the areas of Natural Resources, Economic Development, Emergency Management, Transportation, Affordable Housing, and other strategic regional issues; and

WHEREAS, the RPCs provide technical assistance to their local governments in performing their comprehensive planning statutory requirements; and

WHEREAS, individual RPCs have varying levels of expertise in the above strategic issue areas; and

WHEREAS, individual RPC's responsibility for implementation of Chapters 163, 186, and 380, Florida Statutes can be aided by the expertise of other Florida RPCs; and

WHEREAS, the Florida's eleven RPCs are members of the Florida Regional Councils Association (FRCA); and

WHEREAS, the purpose and intent of this Memorandum of Understanding is to delineate responsibilities and foster cooperation between the RPCs regarding reviews of Applications for Development Approval (ADAs), Local Government Comprehensive Plans, and other Regional Planning and planning technical assistance activities.

NOW, THEREFORE, the RPCs through the FRCA hereby understand and agree as follows:

SECTION I. Notification

If an RPC is asked to provide technical assistance outside of their boundary, and within the boundary of another RPC, the requested RPC shall notify the RPC of jurisdiction and jointly discuss the nature of the requested technical assistance. The RPCs shall coordinate in the provision of these services to the satisfaction of the client.

SECTION II. Mutual Aid

RPCs that need technical assistance in performing their statutory requirements, or in the provision of technical assistance to local governments and other clients within their region, shall give consideration to other RPCs that have the appropriate expertise on staff to mutually provide technical assistance to the client or to provide the RPC seeking technical assistance with services to support their review, recommendations, and reporting responsibilities (e.g. DRI reviews).

SECTION III. Statewide Technical Assistance

The RPC members of FRCA shall cooperatively work together to provide technical assistance to Federal, State and regional agencies when needed at a statewide level. The option that one RPC with special expertise in an issue area will take a lead role and subcontract to the remaining RPCs shall be encouraged, with the lead RPC being appropriately compensated for their coordination services.

SECTION IV. Liability

The Parties agree that, by execution of this Memorandum of Understanding, no Party will be deemed to have waived its statutory defense of sovereign immunity, or increased its limits of liability as provided for by Florida Statutes.

SOUTH FLORIDA REGIONAL PLANNING COUNCIL hereby affirms that, at a duly constituted meeting of its Council on the 5th day of April 2010, it approved the terms of and does hereby enter into this Memorandum of Understanding.

ATTEST:

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

Witness

Joseph Scutto, Chair