

**INTERLOCAL AGREEMENT CREATING**  
**THE**  
**EAST CENTRAL FLORIDA REGIONAL COUNCIL OF GOVERNMENTS**  
**(Formally the East Central Florida Regional Planning Council)**

THIS INTERLOCAL AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, pursuant to the authority and provisions of Section 163.01, Florida Statutes, by and between the undersigned political subdivisions of the State of Florida, who have adopted resolutions confirming their participation and membership in the East Central Florida Regional Council of Governments, according to the terms and conditions as hereinafter set forth.

**Section 1. Organization.**

There is hereby organized and created a regional council of governments under the authority of the Florida Interlocal Cooperation Act of 1969, above cited, which shall be known as the EAST CENTRAL FLORIDA REGIONAL COUNCIL OF GOVERNMENTS, consisting of the counties of Brevard, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties, with participation by municipal representatives as hereinafter set forth. Council headquarters shall be in a central location as determined by a majority vote of the Council. Field offices may be maintained at other locations.

**Section 2. Purpose, Powers and Duties.**

(1) Through open and transparent communication, utilization of developing technologies, policy development, coordination, advocacy, and technical assistance to serve the local governments and citizens within the region by dealing with issues and needs that often cross city, county, and in some instances, multiple regional boundaries, thereby encouraging the development of regional aspirational views in an impartial, non-partisan exchange of information, designed to develop objective recommendations for the resolution of problems, including those goals enumerated by appropriate legislative findings and declarations of applicable federal, state and local laws.

(2) To provide regional coordination for the local governments in the East Central Florida Region.

(3) To exchange, interchange, and review the various programs referred to it, that are of regional concern.

(4) To promote communication among local governments, public agencies and the private and nonprofit sectors in the Region.

(5) To identify regional problems and issues and work toward their resolution.

(6) To promote the orderly and balanced growth and development of the Region, consistent with the protection of the natural resources and environment of the Region; and to promote safety, welfare and quality of life of the residents of the Region.

(7) To encourage and promote communications between neighboring regional councils in an attempt to ensure compatibility in development and long-range goals.

(8) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties or obligations to its Members.

(9) To hold public hearings and sponsor public forums in any part of Region whenever the

Council deems it necessary or useful in the furtherance of its duties and obligations to its Members.

(10) To accept and receive, in furtherance of its functions, funds, grants, and contractual service agreements from the Federal Government, the State of Florida, local governments, or their departments, agencies and instrumentalities; or from private or civic sources.

(11) To receive and expend such funds of money as shall be appropriated from time to time for its use by a member to advise and assist such Member on regional issues.

(12) To act as agency to receive and expend federal funds for program areas and undertakings initiated by the Federal Government.

(13) To acquire, lease, hold and sell real and personal property.

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

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

(16) To enter into contracts to provide such services related to its responsibilities as may be requested by local governments within the Region which the Council finds feasible to perform.

### **Section 3. Definitions.**

(1) Council – the East Central Florida Regional Council of Governments.

(2) Council Member(s) – representatives appointed by Principal Member Units, and by applicable Leagues of Cities, or where no league of cities exist, the largest city within the county, as hereinafter provided.

(3) Elected Official – a member of the governing body of a Principal Member Unit, a municipality, or a county elected official chosen by the governing body.

(4) Ex-Officio Non-voting Member – an ex-officio non-voting member appointed by an applicable federal, state, regional or other governmental entity.

(5) Department – the Florida Department of Economic Opportunity.

(6) Federal or Federal Government – the government of the United States of America or any department, commission, agency or instrumentality thereof.

(7) Local general-purpose government – any municipality or county created pursuant to the authority granted under Section 1 or 2, Article VIII of the Constitution for the State of Florida.

(8) Member(s) – any county, municipality, or any association representing a group of municipalities, located within the Region.

(9) Population – the population according to the current determination by the executive office of the Governor pursuant to section 218.26, F.S., for revenue sharing purposes.

(10) Principal Member Unit – each of the counties located within the Region.

(11) Region or East Central Florida Region – the geographical area, including both land and water, within the counties of Brevard, Lake, Marion, Orange, Osceola, Seminole, Sumter and Volusia.

(12) State or State government – the government of the State of Florida, or any department, commission, agency or instrumentality thereof.

(13) Strategic Policy Plan – a long-range guide for physical, economic and social development of the Region, or subsection of the Region, that identifies goals, objectives and policies of the Region or such subsection.

#### **Section 4. Membership.**

(1) Each county in the Region shall have two voting representatives on the Council, each of whom shall be an elected official as defined in the Constitution of the State of Florida, or in the Florida Statutes.

(2) The City of Orlando may appoint one voting representative who shall be an Elected Official of the City.

(3) Municipalities in Brevard, Lake, Marion, Sumter, and Volusia Counties may caucus through their respective local League of Cities and shall each appoint from their members one voting representative who shall be an Elected Official from a municipality within such League. In the event an applicable League of Cities does not exist, or does not appoint, a representative then the municipality with the largest population in the county whose municipalities are not represented shall be entitled to a voting representative.

(4) Municipalities in Orange, Osceola, and Seminole County may caucus through the Tri-County League of Cities and appoint from its members three voting representatives – one from each county, each of whom shall be an elected official from a municipality. In the event the Tri-County League of Cities does not appoint one or more representatives, then the municipality with the largest population in each county whose municipalities are not represented shall be entitled to appoint a voting representative, unless that municipality is the largest in the region and is already represented pursuant to subsection (2), above. In that event, the second largest city in that county shall be entitled to a voting representative.

(5) Each municipality in the region may appoint one non-voting representative. Such representatives shall have the right to participate in all activities of the Council but shall not have the right to vote or to serve as an officer of the Council and shall not be counted in determining a quorum.

(7) Ex-officio, non-voting members, as appointed pursuant to Section 3 (4) above, shall have the right to participate in all activities of the Council but shall not have the right to vote or to serve as an officer of the Council and shall not be counted in determining a quorum.

#### **Section 5. Council.**

(1) There shall be a council composed of voting representatives of member local governmental units as set forth in Section 4 above.

(2) The Council shall meet every other month, provided there is business to conduct; the Annual Meeting will be held in September. The schedule of meetings may be amended by vote of the Council or by the Chairperson, when the Chairperson, in consultation with the Executive Director, determines that:

(a) There is insufficient business to convene a meeting on the regularly scheduled date, in which case the meeting will be postponed to the next regularly scheduled date; or

(b) Timely action of the Council is required in order to prevent a missed opportunity that is dependent upon Council action before the next regular meeting.

(3) At the Annual Meeting, the Council shall elect the officers and the Executive Committee; adopt the Annual Budget and Work Program; establish a schedule of regular meetings for the upcoming fiscal year; and conduct other business as deemed appropriate.

(4) The chairperson or any five voting representatives of the Council may call special meetings of the Council. Calls for special meetings shall be in writing to the Executive Director sufficiently in advance to accommodate the requirements for the publication of public meeting

notices as required by Florida Statutes.

(5) Written notice of Council meetings shall be provided to each representative by mail, email or other available electronic form, at the representative's address as it appears on the records of the Council, at least seven (7) days prior to such meeting. The notice shall state the time, place, and the business to be transacted. Business transacted at all meetings shall be confined to the subject stated in the notice, except that business of an emergency nature requiring timely action of the Council may be acted upon provided that the nature of the emergency is first declared by the Chairperson and recorded in the minutes of the Council meeting.

(6) Representatives entitled to cast one-third (1/3) of the total number of votes on the Council shall constitute a quorum at any Council meeting. When a quorum is present, the majority of the votes cast shall decide any question, other than Rules revision or amendment brought to a vote before the Council.

(7) An appointing authority may designate a standing alternate for each of their voting representatives, who may attend in that voting member's place. Alternates shall have the same rights as voting members, including making motions and voting.

(8) Each voting representative on the Council shall have one (1) vote on all matters under consideration.

(9) All official meetings of the Council shall be open to the public as required by the Florida Sunshine Law, chapter 286, F.S., and shall meet the requirements of the applicable sections of the Florida Administrative Procedures Act, chapter 120, F.S.

### **Section 6. Council Meeting Agenda.**

(1) For each Council meeting the Agenda shall be set in the following manner:

(a) The Agenda shall be set ten (10) days prior to each meeting.

(b) The Executive Director shall be responsible for setting the Agenda. In fulfilling this responsibility, the Executive Director shall consult with the Chairperson. All items requested by the Chairperson shall be placed on the Agenda.

(c) Any additions, modifications or deletions to the Agenda subsequent to it being set shall be in accordance with the provisions of section 120.525(2), F.S. In particular, such additions, modifications or deletions must be determined by the Chairperson or other officer designated to preside to be of a critical or emergency nature. Items to be included within the scope of a critical or emergency nature are items that would require Council action prior to a subsequent regularly scheduled meeting at which time the item could be considered, and that by delaying consideration the purpose of the Council would not be reasonably achieved.

(d) The Agenda shall be considered by the Council at the beginning of each meeting and shall be accepted, or modified and accepted, in accordance with paragraph (c) of this section.

(2) Any person, individual, or organization may request that an item be placed on the Agenda. All requests shall be considered in the following manner:

(a) All requests for placing an item on the Agenda, except those made by the Chairperson, shall be made in writing to the Executive Director stating the following:

1. The subject matter to be considered;

2. The purpose in making the request;

3. The action requested of the Council, if any;

4. The meeting date at which the item would be considered, indicating the reason, if any, for requesting the date.

(b) The item requested shall be placed on the Agenda of the next regularly scheduled meeting, provided that:

1. The request is received a minimum of fourteen (14) days prior to the meeting;

2. The Executive Director determines that:

a. The subject matter of the request can reasonably be considered to be within the purpose of the Council as set forth in Section 2 of this Interlocal Agreement, and;

b. Sufficient staff effort and resources are available to properly prepare a report and recommendation on the requested subject, when necessary.

In Making these determinations, the Executive Director may confer with the Chairperson. All requests that are not placed on the Agenda shall be brought to the Council's attention by the Executive Director at the next meeting.

(c) Should a Council Member wish to have an item, previously considered and acted upon by the Council, reconsidered, the Council Member may request, at any regular Council meeting, that the item be placed on the next meeting Agenda. The request must receive a majority vote of the Council Members present to agenda the item.

(3) Unless otherwise provided by chapter 120, F.S., or provided herein, the most recently published edition of Robert's Rules of Order shall rule.

### **Section 7. Finances.**

(1) The Council's work year and fiscal year shall be the twelve (12) months beginning the first day of October and ending the thirtieth day of September.

(2) The Council shall adopt a work program and budget for each fiscal year by the beginning of that fiscal year. The Council shall provide, by July 1 of each year, an estimate of the next fiscal year's membership fee to the governing body of each county local government member unit. Each county local government member unit shall include in its annual budget and provide to the Council funds in an amount sufficient to fund its proportionate share of the Council's adopted budget.

(3) The proportionate share of the Council's budget shall be an amount that bears the same ratio to the local share of the total annual Council budget as the population of each county local government member unit bears to the total population of all participatory counties, which each participating county agrees to pay.

(4) Assessments shall be due in full on October 1.

(5) Each county local member government that does not remit the assessed amount by November 1 shall lose all voting privileges, both for representatives from the principal member and other appointees from the county, until payment is made.

(6) The following persons are designated to sign all checks issued by the Council: 1) the Chairperson; 2) the Vice-Chairperson; 3) the Secretary; 4) the Treasurer; and 5) the Executive Director of the Council. Additional staff persons shall be designated as signators by the Council to avoid problems associated with time or distance. All checks over \$1,000 are to be signed by two (2) of the above-designated persons.

(7) The budget and such other changes, amendments or supplements as are necessary to conduct the fiscal affairs of the Council shall be amended by action of the Council provided, however, that the budget may not be amended to increase the annual per capita contribution by the county local government member units.

(8) The purchase of any single item of either equipment or goods that will require the

expenditure of more than three thousand dollars (\$3,000), and that is not included in the current approved budget, must be approved by the Council.

**Section 8. Officers, Term of Office and Duties.**

(1) At the annual meeting of the Council, the Council shall elect from its membership the following officers: Chairperson, Vice-Chairperson, Secretary, Treasurer, and two(2) at large members. Each member so elected shall serve for one (1) year or until reelected or a successor is elected.

(2) The newly elected officers shall be declared installed following their election, and shall assume the duties of office following the conclusion of the annual meeting.

(a) The Chairperson shall be responsible for overseeing the organization of the work of the Council; for seeing that all policies of the Council are carried out; for signing any contract or other instrument that the Council deems in its best interest; and for presiding over all Council meetings. The Chairperson, or a designated Council Member, shall be an ex-officio member of all committees.

(b) The Vice-Chairperson shall act in the Chairperson's absence or inability to act. The Vice-Chairperson shall perform such other functions as may be assigned by the Chairperson or the Council.

(c) The Secretary shall be responsible for minutes for the meeting, keeping the roll of members, general oversight of the financial affairs of the Council and such other duties as may be assigned by the Chairperson or the Council.

(d) The Treasurer shall be responsible for the general oversight of the financial affairs of the Council; and such other duties as may be assigned by the Chairman or the Council.

(3) There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, Secretary, Treasurer and the immediate past Chairperson, and two at large members selected from current Council Membership. If there is no immediate past Chairperson still in continuous service, the Council shall elect an additional member to serve on the Executive Committee until such time as there is an immediate past Chairperson still in continuous service. A majority of the Executive Committee Membership shall be County Representatives.

**Section 9. Vacancies.**

Any vacancy in voting membership shall be filled for the unexpired term in the same manner as the initial appointment.

**Section 10. Term**

The initial term of this Interlocal Agreement shall be ten (10) years, commencing the day and year first above written. It shall automatically renew for an additional five (5) year term.

**Section 11. Committees.**

(1) The Council shall establish and maintain such committees as it deems necessary to carry out the purposes and objectives of the Council. Committees shall be created or discontinued by the Chairperson as directed by the Council.

(2) All committees and chairmen thereof shall be appointed by the Council Chairperson with the approval of a majority of the Council, except that when the need arises between regular meetings of the Council, the Chairperson shall fill vacancies and appoint temporary committee members or a temporary committee Chairperson. Any person so appointed by the Chairperson between regular meetings of the Council shall have full and complete authority to vote and carry out the duties of regular committee members until the next regular Council meeting or such shorter period of time as the Chairperson shall determine. The authority of the person appointed by the Chairperson between regular meetings of the Council may not extend past the next regular meeting unless confirmed by a majority of the Council. If a majority of the Council does not confirm the person appointed for future service on the committee, this shall in no way affect the validity of the actions taken by such person during the period between regular meetings of the Council.

### **Section 12. Staff.**

(1) The Council shall employ and set the compensation of an Executive Director, who shall serve at the pleasure of the Council.

(a) The Executive Director may be dismissed by the Council provided, however, that said dismissal shall have been initiated at a regular meeting of the Council in accordance with the following procedure:

1. The question of dismissing the Executive Director shall be raised by a representative of the Council at a regular meeting of the Council;

2. The question of dismissal of the Executive Director must be approved by the Council for inclusion on the agenda of the next regular meeting of the Council;

3. The agenda in which a motion for dismissal is included shall be published not less than seven (7) days in advance of the regular Council meeting at which the proposal for dismissal shall be considered by the Council;

4. The notice and agenda of said Council meeting shall be provided to each Council representative at least seven (7) days in advance of the meeting;

5. Any motion for dismissal of the Executive Director must be approved by a majority of Council representatives present at the meeting.

(2) The Executive Director shall employ and discharge professional, technical, or clerical staff as may be necessary to carry out the purpose of the Council. The Executive Director may make agreements with other agencies, within or without the geographic boundaries of the region, for temporary transfer, loan or other cooperative use of staff employees and, with the consent of the Council or pursuant to procedures established by the Council, may acquire the services of consultants.

(3) The Executive Director shall be responsible to the Council for supervising and administering the work program of the Council, including preparation of a proposed annual budget, for administration and supervision of Council employees, and for acquiring employee benefit coverages.

(4) The Executive Director shall act as assistant to the Council officers in performing their duties and shall, at the direction of the Secretary, prepare minutes of each meeting and be responsible for distributing copies to members of the Council, and shall perform such other duties and responsibilities as directed by the Council.

(5) The Executive Director shall be an ex-officio member of all Council committees.

(6) The Executive Director shall act as agency clerk.

**Section 13. Plans, Studies, Activities, and Reports.**

(1) In the event one or more governmental units or public agencies within the Region should desire the Council staff to conduct special studies or activities pertaining to a portion of the entire Region, they may make application to the Council by ordinance, resolution, rule or order, wherein the applying entities bind themselves to pay all costs involved in the study or activity. If the Council deems the study or activity feasible, after considering the availability of staffing and other necessary resources and the application's consistency with the Council's mission, it shall enter into a separate contract with the particular entity to conduct same.

(2) The Council shall prepare an annual report on its activities. Copies of this report shall be provided to the appropriate state entities and all general-purpose local governments within the Region. Copies of the report will also be available to interested persons upon payment of the cost to produce the report.

(3) The Council shall make reports jointly with other regional councils to the appropriate legislative committees, as required or requested.

(4) The Council shall annually prepare an accounting of the receipts and disbursements of all funds received by the Council for its preceding fiscal year. This accounting shall be rendered in accordance with section 186.505(8), Florida Statutes.

**Section 14. Dissolution.**

In the event the Council is dissolved, any funds remaining on hand belonging to the Council will be repaid to the various member local governments comprising the Council in proportion to their contribution during the year of such dissolution, exclusive of financial obligations incurred by the Council up until the time of dissolution.

**Section 15. Information Request.**

(1) The principal office of the East Central Florida Regional Council of Governments shall be established from time to time as provided in Section 1 above, which at all times shall be reflected on the website maintained by the Council. All official forms, publications, or documents are available for public inspection at the Council's principal office during regular business hours.

(2) Copies of the Council's forms, publications and official documents prepared for public dissemination are available as follows:

(a) Public agencies, defined as those organizations representing the public government agencies situated in the State of Florida, receive printed Council publications at no charge;

(b) Private organizations situated in Florida and all parties outside of Florida can receive printed Council publications at cost;

(c) Both private organizations and public agencies can receive Council forms and documents at cost;

(d) Council publications out of print or forms and documents are available for public inspection at the Council's principal office. Any person wishing photocopies may receive them at cost.



(3) Photocopies of other items in the public record of the Council may be obtained at cost.

IN WITNESSETH WHEREOF, the following Members of the East Central Florida Regional Council of Governments have executed this Interlocal Agreement, and hereby agree to the term and conditions hereof, the day and year above written. Execution hereof may be done in multiple counterparts, each of which shall be deemed an original and such counterparts shall constitute one and the same agreement.

(SIGNATURE BLOCKS ON FOLLOWING PAGES)

**INTERLOCAL AGREEMENT CREATING**  
**THE**  
**EAST CENTRAL FLORIDA REGIONAL COUNCIL OF GOVERNMENTS**  
**(Formally the East Central Florida Regional Planning Council)**

**East Central Florida Regional Council of Governments**

\_\_\_\_\_  
**Sean M. Parks, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Brevard County Board of County Commissioners**

\_\_\_\_\_  
**Rita Pritchett, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Lake County Board of County Commissioners**

\_\_\_\_\_  
**Sean M. Parks, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Marion County Board of County Commissioners**

\_\_\_\_\_  
**Jeff Gold, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Orange County Board of County Commissioners**

\_\_\_\_\_  
**Mayor Jerry L. Demings, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**INTERLOCAL AGREEMENT CREATING**  
**THE**  
**EAST CENTRAL FLORIDA REGIONAL COUNCIL OF GOVERNMENTS**  
**(Formally the East Central Florida Regional Planning Council)**

**Osceola County Board of County Commissioners**

\_\_\_\_\_  
**Brandon Arrington, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Seminole County Board of County Commissioners**

\_\_\_\_\_  
**Lee Constantine, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Sumter County Board of County Commissioners**

\_\_\_\_\_  
**Garry Breeden, Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

**Volusia County Council**

\_\_\_\_\_  
**Jeffrey S. Brower, County Chair**

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Date: \_\_\_\_\_