

**AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE AND THE SOUTH FLORIDA
REGIONAL PLANNING COUNCIL FOR PILOT IMPLEMENTATION OF
ADAPTATION ACTION AREAS
AMENDMENT NO. 2**

WHEREAS, the City of Fort Lauderdale, a Florida municipality, ("City"), and the South Florida Regional Planning Council ("SFRPC"), a body corporate and politic and an agency of the State of Florida, entered into a contract March 13, 2013 for the City to assist the SFRPC in the identification of possible areas for designation as Adaptation Action Areas ("AAA's") and subsequently selecting policy options in which to take the next steps toward implementation. In addition, with technical assistance from Broward County and the SFRPC, prepare and begin to process a local comprehensive plan amendment for such designation(s) in support of an agreement between SFRPC and the Florida Department of Economic Opportunity (FDEO) on Community Resiliency.

WHEREAS, the SFRPC previously amended their contract with FDEO and in accordance, the City followed with a signed and executed Amendment 1; and

WHEREAS, the SFRPC amended their contract with FDEO a second time extending the timeline for Task 2 Deliverables to be completed by June 30, 2014 and Task 3 Deliverables to be completed by December 30, 2014; and

WHEREAS, the City and the SFRPC wish to extend the City Deliverables' due dates denoted within the Agreement's timeline and the term of Agreement in order to be consistent with the amended contract between SFRPC and the FDEO; and

NOW, THEREFORE, as an amendment to the Agreement, the City and SFRPC hereby agree to as follows:

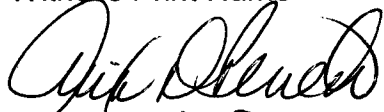
1. Amending the City timeline due dates for Task A Deliverables as denoted in the Scope of Work (Exhibit A).
2. Amending the City timeline due dates for Task B Deliverables as denoted in the Scope of Work (Exhibit A).
3. Amending the City Agreement ARTICLE 3 – TERM AND TIME OF PERFORMANCE Section 3.2 to Read "All duties, obligations and responsibilities of CITY required by this Agreement shall be completed no later than twenty one (21) months after Agreement is fully executed by both parties. Time shall be deemed to be of the essence in performing the duties, obligations and responsibilities required by this Agreement."
4. Leaving all other terms, conditions, and specifications contained in the Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment to Agreement: CITY OF FORT LAUDERDALE through its City Manager, authorized to execute by signature on the 6th day of October, 2014, and SFRPC, signing by and through its Executive Director, duly authorized to execute same.

WITNESSES:



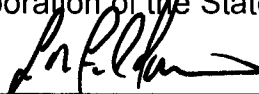
MIRANDA SCOTT
Witness Print Name




Witness Print Name

(CORPORATE SEAL)

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida:

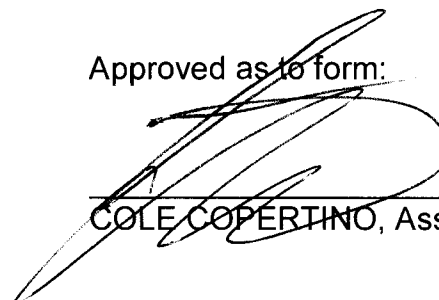
By: 

Lee R. Feldman, City Manager

ATTEST:



JONDA K. JOSEPH, City Clerk

Approved as to form:


COLE COPERTINO, Assistant City Attorney

WITNESSES:


SOUTH FLORIDA
REGIONAL PLANNING
COUNCIL

By: 
James F. Murley, Executive Director

James F. Murley, Executive Director
(Print Name and Title)

2nd day of October, 2014

Approved as to form by
Samuel S. Goren, General Counsel
South Florida Regional Planning Council
3099 E. Commercial Boulevard, Suite 200
Fort Lauderdale, FL 33308
Telephone (954) 771-4500
Facsimile (954) 771-4923

By  10/16/14
Samuel S. Goren (Date)
General Counsel

ARTICLE 3 – TERM AND TIME OF PERFORMANCE
AMENDMENT NO. 2

3.1 The term of this Agreement shall begin upon execution by both parties and shall have a term of twenty (20) months unless terminated earlier in accordance with Article 8 of this Agreement. However, the Parties have the option to extend the term of the Agreement through the execution of a written amendment to this Agreement executed by both Parties.

3.2 All duties, obligations, and responsibilities of CITY required by this Agreement shall be completed no later than ~~twenty (20)~~ twenty one (21) months after Agreement is fully executed by both parties. Time shall be deemed to be of the essence in performing the duties, obligations and responsibilities required by this Agreement.

Exhibit "A"

SCOPE OF WORK

BETWEEN

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

AND THE CITY OF FORT LAUDERDALE

FOR

PILOT IMPLEMENTATION OF ADAPTATION ACTION AREAS

AMENDMENT NO. 2

BACKGROUND

The 2011 Florida Legislature passed the Community Planning Act (CPA) making significant changes to the state's growth management laws, including the addition of optional adaptation planning for coastal hazards and the potential impacts of sea level rise. The Adaptation Action Area, as defined in the CPA, is an optional comprehensive plan designation for areas that experience coastal flooding and that are vulnerable to the related impacts of rising sea levels for prioritizing funding for infrastructure and adaptation planning. Local governments that adopt an Adaptation Action Area may consider policies within the coastal management element in their comprehensive plan to improve resilience to coastal flooding.

As part of a National Oceanic & Atmospheric Administration (NOAA)-funded five-year initiative entitled "Community Resiliency: Planning for Sea Level Rise", the Florida Department of Economic Opportunity (DEO) is developing a statewide planning framework to determine how to best integrate sea level rise adaptation into the existing process. This includes working with pilot communities to evaluate planning guidance, modeling and vulnerability analysis methodologies for statewide application, determine effective modes for communicating sea level rise risks, and deliver technical assistance to support sea level rise adaptation to a diverse audience. The results of this process will be compiled into a

guidebook to assist Florida communities that choose to address Adaptation Action Areas in their local comprehensive plan.

DEO has contracted (Exhibit "B") with the South Florida Regional Planning Council (SFRPC) to develop this guidebook to explore the options available to local governments that wish to allow for the designation of Adaptation Action Areas and advance these policies through the local comprehensive planning process. The City of Fort Lauderdale, with support from Broward County, will serve as a pilot community to test the development and advancement of these adaptation policy options.

CITY RESPONSIBILITIES:

Task A. Drafting of an Adaptation Action Area Amendment to the City of Fort Lauderdale's Comprehensive Plan

Scope of Duties: Based on the Final Report on Policy Options compiled by the SFRPC (Exhibit "B", Deliverable 1d) the City of Fort Lauderdale will work cooperatively with the SFRPC and Broward County through regular meetings and iterative review of work products to identify a potential area(s) for designation as an Adaptation Action Area and the development of support policy language for an amendment to the City's Comprehensive Plan. The City will prepare and initiate an amendment to the Comprehensive Plan, which will include opportunities for public input at a workshop in preparation for a presentation to the City's Local Planning Agency, the first step necessary in order to transmit a proposed amendment to DEO for review. These actions will support Deliverables 2a, 2b and 2c in Exhibit "B".

DELIVERABLES AND TIMELINE:

A1. Copies of agendas and participant lists for City technical staff and/or public attendance at regular planning meetings, public workshops, and meetings of elected bodies throughout the development of the draft amendment language to the City of Fort Lauderdale's Comprehensive Plan allowing for designation of Adaptation Action Areas (As required through Months 5-15 from execution of the interlocal agreement).

A2. Draft copy of formal presentation of overall project and policy options selected to be included in the City's Comprehensive Plan (Month 7 from execution of the interlocal agreement, or within 30 days of release of the Final report on Policy Options, Deliverable 1d of Exhibit "B", whichever comes later).

A3. Final Copy of formal presentation based on review by SFRPC (Month 9 from execution of the interlocal agreement, or within 30 days of written comments provided electronically by the SFRPC on the draft presentation, whichever comes later).

A4. Draft policy language allowing for AAA designation for inclusion in the City Comprehensive Plan for review by the SFRPC and Broward County (Month 11 from execution of the interlocal agreement).

A5. Final AAA designation policy language based upon review by the SFRPC and Broward County formatted as a submittal draft of an amendment to the City Comprehensive Plan to the City's Local Planning Agency (Month 43-15 from execution of the interlocal agreement).

A6. Travel to Tallahassee to attend up to four (4) meetings with DEO related to the Community Resiliency planning initiative (as scheduled).

A7. Final Report from the Urban Land Institute Technical Assistant Panel on Climate Adaptation on Riverwalk as an example of a process to help refine areas to designate as AAA. (Month 15 from execution of the interlocal agreement)

Task B. Support Drafting of a Storyboard for a Video and a Case Study of the Adaptation Action Area Planning Process

Scope of Duties: The City of Fort Lauderdale will work cooperatively with the SFRPC in the drafting of a short video storyboard on Adaptation Action Areas and in the drafting of a case study that details the step-by-step process the City used to initiate the identification of optional Adaptation Action Areas and draft supporting policies into their Comprehensive Plan, along with successes, challenges and lessons learned from the process. These actions will support Deliverable 3a and 3b in Exhibit "B".

DELIVERABLES AND TIMELINE:

B1. Copies of agendas, participant lists, and meeting summaries for City technical staff support to the SFRPC in drafting the storyboard of Adaptation Action Areas and the City of Fort Lauderdale case study (As required through Months 12-46- 21 from execution of the interlocal agreement)

B2. Provide electronically written comments on the draft case study (within 30 days of release of the draft case study of Fort Lauderdale, Deliverable 3b of Exhibit "B").

B3. Written summary of the technical assistance provided to the SFRPC in drafting the storyboard of Adaptation Action Areas and the City of Fort Lauderdale case study (Month 46- 21 from execution of the interlocal agreement)

Deliverables	Due Date	Budget Amount
Task A - Drafting of an Adaptation Action Area Amendment to the City of Fort Lauderdale's Comprehensive Plan		\$40,000.00
Deliverable A1. Copies of agendas and participant lists for City technical staff and/or public attendance at regular planning meetings, public workshops, and meetings of elected bodies throughout the development of the draft amendment and the initial proposed amendment to the City of Fort Lauderdale's Comprehensive Plan allowing for designation of Adaptation Action Areas	Months 15	
Deliverable A2. Draft copy of formal presentation of overall project and options selected to be included in the City's Comprehensive Plan	Month 7 or within 30 days of release of the Final report on Policy Options, whichever comes later	
Deliverable A3. Final Copy of formal presentation based on review by SFRPC	Month 9, or within 30 days of SRFPC comments, whichever comes later	
Deliverable A4. Draft AAA designation policy language for inclusion in the City's Comprehensive Plan for review by the SFRPC and Broward County	Month 11	
Deliverable A5. Final AAA designation policy language based upon review by the SFRPC and Broward County formatted as a submittal draft of an amendment to the City's Comprehensive Plan to the City's Local Planning Agency	Month 13 ¹⁵	
Deliverable A6. Travel to attend up to four (4) meetings with DEO related to the Community Resiliency planning initiative	As required	
Deliverable A7. Final Report from the Urban Land Institute Technical Assistant Panel on Climate Adaptation on Riverwalk as an example of a process to help refine areas to designate as AAA.	Month 15	
Task B - Support Drafting of a Storyboard and Case Study of the Adaptation Action Area Planning Process		\$10,000.00
Deliverable B1. Copies of agendas, participant lists and meeting summaries related to technical assistance provided in the development of the storyboard on Adaptation Action Areas and the draft City of Fort Lauderdale case study	Months 12-16 ²¹	
Deliverable B2. Provide electronically written comments on the draft Fort Lauderdale case study	within 30 days of release of the draft case study of Fort Lauderdale	
Deliverable B3. Written summary of the technical assistance provided to the SFRPC in the development of the storyboard on Adaptation Action Areas and the draft City of Fort Lauderdale case study	Month 16 ²¹	