

DOCUMENT ROUTING FORM

④ ✓ p 3/19/14 ⑤

NAME OF DOCUMENT: **MEMORANDUM OF AGREEMENT BY AND AMONG THE ETHEKWINI MUNICIPALITY, THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION, THE CITY OF FORT LAUDERDALE AND BROWARD COUNTY FOR REGIONAL CLIMATE CHANGE ADAPTATION SUPPORT**

Approved Comm. Mtg. on **OCTOBER 1, 2013** CAM #13-1313 ITEM: **M-3**

Routing Origin:  CAO Also attached:  copy of CAR  copy of document

On 3/14/14, Linda B. forwarded to: **Donna Varisco, CMO**

1.) City Attorney's Office: Approved as to Form:# 4 Originals of each to City Mgr. By: L. Blanco

**Paul G. Bangel** ✓

2.) Approved as to content: Assistant City Manager:

By: \_\_\_\_\_ By: \_\_\_\_\_  
Stanley Hawthorne, Assistant City Manager Susanne Torriente, Assistant City Manager

3.) City Manager: Please sign as indicated and forward 4 originals to Mayor.

4.) Mayor: Please sign as indicated and forward 4 originals to Clerk.

5.) To City Clerk for attestation and City seal.

**INSTRUCTIONS TO CLERK'S OFFICE**

6.) City Clerk: forwards 4 original documents to:

**DONNA VARISCO, CMO**

Original Route form to Linda Blanco, CAO

CITY CLERK  
2014 MAR 17 AM 7:03

3/17

CMO

**MEMORANDUM OF AGREEMENT**

**Made and Entered into  
By and Among**

**THE ETHEKWINI MUNICIPALITY  
(hereinafter referred to as "ETM")**

**AND**

**The International City/County Management Association  
(hereinafter referred to as "ICMA")**

**AND**

**The City of Fort Lauderdale  
(hereinafter referred to as "Fort Lauderdale")**

**AND**

**Broward County**

**FOR**

**Regional Climate Change Adaptation Support**

*SS*

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**1. Preamble**

In July of 2013 ICMA, through the United States Agency for International Development, funded the City-to-City Partnership Program (hereinafter "CityLinks") which hosted a city-to-city exchange among the ETM, South Africa, and representatives from Fort Lauderdale and Broward County, Florida, United States of America. The CityLinks sponsored exchange focused on overcoming social and political challenges to regional climate change adaptation in an effort to address key vulnerabilities of sea level rise and biodiversity and ecosystem services in ETM and the surrounding municipalities in the province of KwaZulu-Natal. As a result of this week-long exchange, a cooperative affiliation was formed among ICMA, ETM, Fort Lauderdale, and Broward County to assist the ETM to find ways of engaging municipalities outside of its borders to better facilitate climate change adaptation policies and practices on a regional level. At the conclusion of the exchange an action plan was set forth that committed each party to take initial steps in preparation for the 5<sup>th</sup> Annual Southeast Florida Regional Climate Leadership Summit. These steps included, but were not limited to regional feasibility meetings with the municipalities surrounding ETM, city-to-city exchange itinerary preparation, and the identification of a core team from ETM to attend the Summit and a series of meetings with officials throughout Southeast Florida.

**2. Terms of agreement**

- 2.1 The parties have discussed their mutual interests in exploring avenues for regionally based climate change adaptation practices. ICMA recognizes the expertise of Fort Lauderdale and Broward County in participating in the creation a regional model for climate change adaptation practices through the Southeast Florida Regional Climate Change Compact.
- 2.2 ICMA also recognizes ETM'S roles as a leader in climate change adaptation practices and the current secretariat of The Durban Adaptation Charter.
- 2.3 Given the above, Fort Lauderdale and Broward County will invite representatives from ETM to the 5<sup>th</sup> Annual Southeast Florida Regional Climate Leadership

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Summit on November 7-8, 2013. In addition, Fort Lauderdale with the support of Broward County, will work with representatives of the Southeast Florida Regional Climate Change Compact to identify synergies between ETM and Southeast Florida in an effort to provide support for ETM's goal of a multi-municipality approach to climate change adaptation.

- 2.4 ETM will move forward with the Action Plan outlined as a result of the exchange which occurred from July 20-27, 2013, where ICMA staff and representatives from the Southeast Florida Regional Climate Change Compact visited ETM.
- 2.5 ICMA, in turn, is expected to facilitate communication between ETM, Fort Lauderdale, and Broward County and will provide programmatic support through its CityLinks Program.

### **3. General**

- 3.1 This agreement is neither a fiscal nor a funds obligation document. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the Parties to this agreement will be handled in accordance with applicable laws, regulations, and procedures.
- 3.2 Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the Parties and shall be independently authorized by an appropriate authority. This agreement does not provide such authority. Each party shall be fiscally responsible for their own portion for work performed under the agreement.
- 3.3 The Parties agree that this Agreement shall not be construed so as to create a legal relationship of exclusivity between them to the exclusion of all third parties, and the Parties hereby agree that they each shall be free to pursue projects with third parties, either independently or in collaboration with one another.
- 3.4 Nothing in this Agreement shall be taken to construe a partnership, agency, or any other legal relationship as existing between the Parties, and the Parties shall not be legally entitled to represent each other unless duly authorized thereto in writing by the relevant other Party.

**4. ADDRESSES**

For all purposes relating to this Agreement, the Parties accept the following addresses, and fax numbers, for delivery of all notices, documents and, in respect of the physical addresses, the service of any legal process:

**ETM:**

Office of the City Manager  
City Hall  
Dr Pixley KaSeme Street  
PO Box 1014, Durban, 4000  
South Africa

**ICMA:**

777 North Capital St NE, 5th Floor  
Washington, DC 20002  
United States of America

**The City of Ft. Lauderdale:**

Susanne M. Torriente, Assistant City Manager  
City of Fort Lauderdale  
100 Andrews Avenue,  
Fort Lauderdale, FL 33301  
United States of America

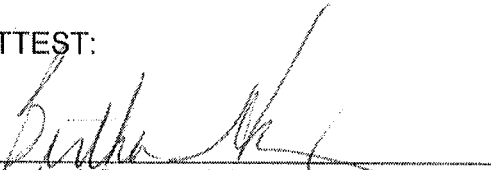
**Broward County:**

Jennifer L. Jurado, Ph.D., Director  
Natural Resources Planning and Management Division  
Broward County  
115 S. Andrews Avenue  
Fort Lauderdale, FL 33301  
United States of America

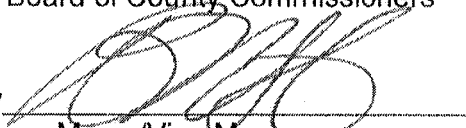
IN WITNESS WHEREOF, the parties hereto have made and executed this Memorandum of Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the 5th day of November, 2013, FORT LAUDERDALE, signing by and through its Mayor, John P. "Jack" Seiler, and Manager, Lee R. Feldman, duly authorized to execute same, ICMA, signing by and through its CityLinks Director, Joseph Lombardo, duly authorized to execute same, and ETM, signing by and through its City Manager, S. Sithole, duly authorized to execute same.

COUNTY

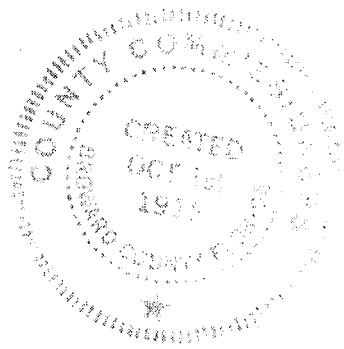
ATTEST:

  
\_\_\_\_\_  
Broward County Administrator, as  
Ex-officio Clerk of the Broward County  
Board of County Commissioners

BROWARD COUNTY, by and through  
its Board of County Commissioners

By   
\_\_\_\_\_  
Mayor/Vice Mayor

9<sup>th</sup> day of April, 2014



Approved as to form by  
Joni Armstrong Coffey  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641


By   
\_\_\_\_\_  
Michael C. Owens (Date)  
Senior Assistant County Attorney

By   
\_\_\_\_\_  
Maite Azcoitia (Date)  
Deputy County Attorney

MCO/lr  
Climate Change Adaptation eThekwini.doc  
04/02/2013  
#13-058.06

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CITY OF FORT LAUDERDALE, a Florida  
municipality:


By   
JOHN P. "JACK" SEILER, Mayor

  
LEE R. FELDMAN, City Manager

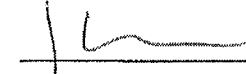
ATTEST:

  
JONDA K. JOSEPH, City Clerk

Approved as to form:


  
PAUL G. BANGEL,  
Senior Assistant City Attorney

INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION

  
\_\_\_\_\_  
Joseph Lombardo  
CityLinks Director

5/5/14  
Date

ETHEKWINI MUNICIPALITY

  
\_\_\_\_\_  
MR S SITHOLE  
CITY MANAGER, DULY AUTHORISED

5/6/2014  
Date

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