

January 10, 2024

Honorable Jay Zembower
Chairman
Seminole County Board of County Commissioners
1101 East First Street
Sanford, FL 32771

Re: DRAFT Amendment to the Interlocal Agreement for Creation of the Metropolitan Planning Organization

Dear Chairman Zembower:

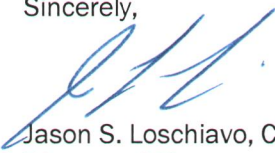
On September 13, 2023, the MetroPlan Orlando Board approved a recommendation by the Executive Committee requesting approval of MetroPlan Orlando's Apportionment Plan as required by state and federal law. This action necessitates completion of an amendment to our Interlocal Agreement to incorporate the changes. The MetroPlan Orlando Board received a draft MPO Apportionment Plan as part of its agenda package. (See Tab 4, September 13, 2023, MetroPlan Orlando Board agenda).

The approved MetroPlan Orlando Board membership in the Apportionment Plan is 22 voting members and 5 non-voting advisors. Attached is a draft Amendment to the Interlocal Agreement Creating the Orlando Urban Area Metropolitan Planning Organization, d/b/a/ MetroPlan Orlando, A Regional Transportation Partnership, which adds the City of St. Cloud, Florida, as a voting member and adds an additional Orange County representative to the MetroPlan Orlando Board. ***Please have your attorney review this document. Comments about this draft should be directed to MetroPlan Orlando's general counsel, Mr. Jay W. Small, Dinsmore & Shohl LLP by January 24, 2024. He can be reached by phone (407.377.6174) or email (jay.small@dinsmore.com). Please copy Mary Wilson on any emails to Mr. Small. (mary.wilson@dinsmore.com).***

After January 24, 2024, a second letter will be mailed out with two originals to be executed. Once approved by all partners, it will be filed with the Clerks of the Courts in Orange, Osceola, Seminole Counties as the official document amending the Interlocal Agreement for Creation of the Metropolitan Planning Organization.

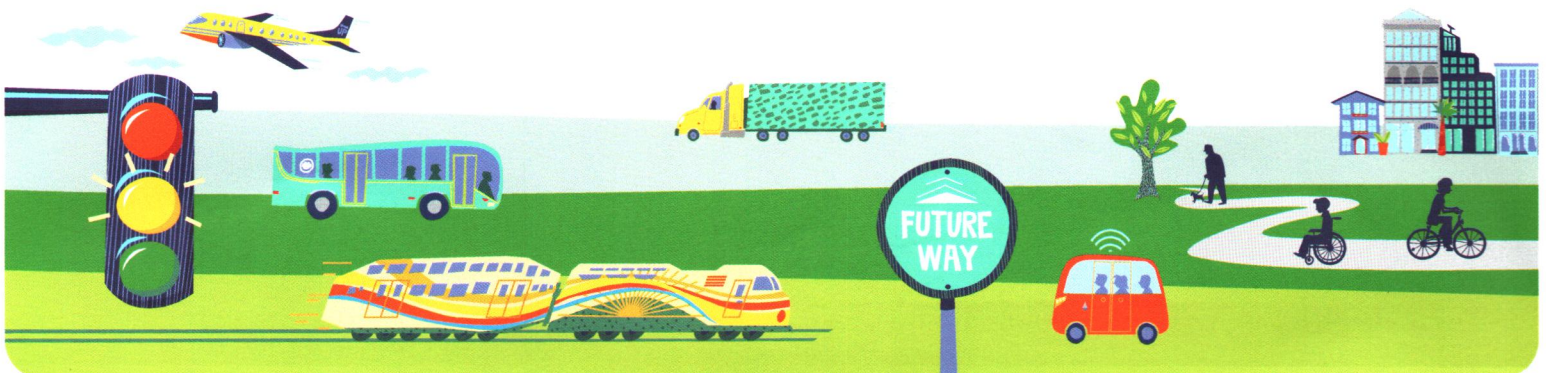
If your staff has any additional questions that should not be directed to our general counsel, please contact me at 321.732.6419 or Jason.Loschiavo@MetroPlanOrlando.gov. We appreciate your assistance in expediting this process.

Sincerely,



Jason S. Loschiavo, CPA
Director of Finance and Administration

Enclosure



**AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE
ORLANDO URBAN AREA METROPOLITAN PLANNING ORGANIZATION
D/B/A/ MetroPlan Orlando**

THIS AMENDMENT (hereinafter “Amendment”) is made and entered into by and between the State of Florida, Department of Transportation; the Counties of Orange County, Florida, Osceola County, Florida, Seminole County, Florida; the Cities of City of Altamonte Springs, Florida, City of Apopka, Florida, City of Kissimmee, Florida, City of Orlando, Florida, City of Sanford, Florida, the City of St. Cloud, Florida, the Central Florida Regional Transportation Authority, The Greater Orlando Aviation Authority, the Central Florida Expressway Authority, and the Sanford Airport Authority, and the MetroPlan Orlando Municipal Advisory Committee (hereinafter the “Parties”).

RECITALS

WHEREAS, the Parties reaffirm the Interlocal Agreement dated June 7, 2000, as amended, except as amended hereby;

WHEREAS, section 134 Title 23 of the United States Code requires the designation of metropolitan planning organizations (hereinafter “MPO” or “MPOs”) in urban areas, as defined by the United States Census Bureau;

WHEREAS, section 339.175(4)(a), Fla. Stat., requires the Governor to review the composition of the Metropolitan Planning Organizations membership in conjunction with the decennial census;

WHEREAS, section 134 of Title 23 of the United State Code sets forth membership requirements for MPOs designated for transportation management areas with a population of 200,000 or more residents;

WHEREAS, on August 15, 2023, the Executive Committee of the governing board of MetroPlan Orlando, considered alternative membership scenarios for presentation to the governing board of MetroPlan Orlando;

WHEREAS, on September 13, 2023, the governing board of MetroPlan Orlando met to review its voting composition and approved a Resolution Supporting the Adoption of the Executive Committee’s recommended MPO Membership Apportionment Plan (“Apportionment Resolution”) and determined that it was appropriate that the City of St. Cloud be added as a voting member to the Interlocal Agreement, as amended, creating MetroPlan Orlando;

WHEREAS, the signatories to this Amendment hereby ratify and reaffirm the Apportionment Resolution as if fully set forth herein; and,

WHEREAS, the governing body of MetroPlan Orlando has determined that it is appropriate that Orange County, Florida, be granted an additional representative as a voting member to the Interlocal Agreement as amended creating MetroPlan Orlando.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties agree as follows:

I. Recitals. The forgoing recitals are true and correct.

II. Interlocal Agreement. Article 4, Section 4.01(a) of the Interlocal Agreement dated June 7, 2000, as amended, is amended to read as follows:

The membership of the MPO shall consist of twenty (22) voting representatives and five (5) non-voting representatives. The names of the member local governmental entities and the voting apportionment of the governing board as approved by the Governor shall be as follows:

<i>Orange County</i>	<i>7 Representatives</i>
<i>Osceola County</i>	<i>1 Representative</i>
<i>Seminole County</i>	<i>2 Representatives</i>
<i>City of Altamonte Springs</i>	<i>1 Representative</i>
<i>City of Apopka</i>	<i>1 Representative</i>
<i>City of Kissimmee</i>	<i>1 Representative</i>
<i>City of Orlando</i>	<i>2 Representatives</i>
<i>City of Sanford</i>	<i>1 Representative</i>
<i>City of St. Cloud</i>	<i>1 Representative</i>
<i>Central Florida Regional Transportation Authority</i>	<i>1 Representative</i>
<i>Greater Orlando Aviation Authority</i>	<i>1 Representative</i>
<i>Central Florida Expressway Authority</i>	<i>1 Representative</i>
<i>Sanford Airport Authority</i>	<i>1 Representative</i>
<i>MetroPlan Orlando Municipal Advisory Committee</i>	<i>1 Representative</i>

III. Severability. The invalidity or unenforceability of any term or provision of this Amendment or the non-applicability of any such term or provision to any person or circumstance shall not impair or affect the remainder of this Amendment, and the remaining terms and provisions hereof shall not be invalidated but shall remain in full force and effect but shall be construed as if such invalid, unenforceable, or non-applicable provisions were omitted.

IV. Entire Agreement. This Amendment represents the entire understanding and agreement between the parties with respect to the subject matter hereof. None of the terms and provisions hereof may be amended, supplemented, waived or changed orally, but only by a writing signed by each of the parties hereto.

V. Rules of Construction. Whenever used herein, the singular number shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders.

VI. Amendment Execution and Counterpart Signature Pages. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

VII. Effective Date. This Amendment shall become effective upon its filing in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located. Any amendment hereto shall become effective only upon its filing in the Office of the Clerk of the Circuit Court for each county in which a party hereto is located.

IN WITNESS WHEREOF, the undersigned parties have caused this Amendment to the Interlocal Agreement dated June 7, 2000, as amended, to be duly executed on their behalf.

ORANGE COUNTY, FLORIDA

BY: _____

DATE: _____

TITLE: _____

ATTEST: _____

TITLE: _____

OSCEOLA COUNTY, FLORIDA

BY: _____

DATE: _____

TITLE: _____

ATTEST: _____

TITLE: _____

[Continued on following pages]

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
JAY ZEMBOWER, Chairperson

Date: _____
As authorized for execution by the Board of
County Commissioners at its _____,
2024 regular meeting.

ATTEST:

_____, Clerk to the Board of
County Commissioners of Seminole County, Florida.
For the use and reliance of Seminole County only.
Approved as to form and legal sufficiency.

County Attorney

CITY OF ALTAMONTE SPRINGS, FLORIDA

BY: _____
DATE: _____
TITLE: _____
ATTEST: _____
TITLE: _____

CITY OF APOPKA, FLORIDA

BY: _____
DATE: _____
TITLE: _____
ATTEST: _____
TITLE: _____

CITY OF KISSIMMEE, FLORIDA

BY: _____
TITLE: _____
DATE: _____
ATTEST: _____
TITLE: _____

[Continued on following pages]

CITY OF ORLANDO, FLORIDA

BY: _____

TITLE: _____

DATE: _____

ATTEST: _____

TITLE: _____

CITY OF SANFORD, FLORIDA

BY: _____, Mayor

Date: _____

ATTEST

_____, City Clerk

For use and reliance of the City of Sanford

City Commission only.

Approved as to form and legality.

_____, City Attorney

CITY OF ST. CLOUD, FLORIDA

BY: _____

TITLE: _____

DATE: _____

ATTEST: _____

TITLE: _____

THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY

BY: _____

DATE: _____

TITLE: _____

ATTEST: _____

TITLE: _____

[Continued on following page]

THE GREATER ORLANDO AVIATION AUTHORITY

BY: _____
DATE: _____
TITLE: _____
ATTEST: _____
TITLE: _____

THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY

BY: _____
DATE: _____
TITLE: _____
ATTEST: _____
TITLE: _____

SANFORD AIRPORT AUTHORITY

BY: _____
DATE: _____
TITLE: _____
ATTEST: _____
TITLE: _____

METROPLAN ORLANDO MUNICIPAL ADVISORY COMMITTEE

BY: _____
TITLE: _____
DATE: _____
ATTEST: _____
TITLE: _____

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

BY: _____
TITLE: _____
DATE: _____
ATTEST: _____
TITLE: _____

APPROVED AS TO FORM, LEGALITY
STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

BY: _____
ATTORNEY
DATE: _____
TITLE: _____