

**RESOLUTION R-19-053**

**A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING INTERGOVERNMENTAL COOPERATION; PROVIDING FINDINGS; APPROVING THE TERMINATION OF THE SERIES OF AGREEMENTS COMMONLY REFERRED TO AS THE ACCORD; APPROVING THE FORM OF, AND AUTHORIZING THE EXECUTION OF, AN AGREEMENT TO TERMINATE THE ACCORD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Manatee County has within its boundaries all or a portion of six separate municipalities: Anna Maria, Bradenton, Bradenton Beach, Holmes Beach, Palmetto and the Town of Longboat Key (collectively, the “Cities”); and

**WHEREAS**, the Manatee County School Board (“School Board”) provides public educational facilities and services within the boundaries of the County; and

**WHEREAS**, in order to address concerns regarding growth and development, the County, the Cities and the School Board, in 2003, entered into a series of interlocal agreements commonly referred to as the “Accord”, which provided for cooperation in host of areas pertaining to growth management; and

**WHEREAS**, many of the cooperative goals established in the Accord (shared resources, establishment of a local option sales tax, etc.) have been achieved, and the intergovernmental concerns that motivated the Accord have been addressed to the satisfaction of the County, the Cities and the School Board, such that it is in their mutual best interests to terminate the Accord as provided in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:**

**SECTION 1. FINDINGS.** The recitals set forth above are true and correct and are hereby adopted as findings of the Board.

**SECTION 2. TERMINATION OF ACCORD.** The Board hereby approves the termination of the Accord, consisting of the following documents:

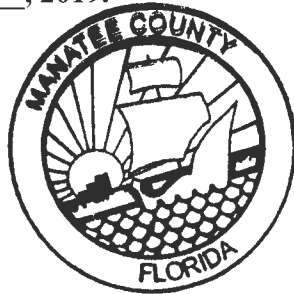
1. The Accord (For the Improvement of the Quality of Life of the Citizens);
2. General Interlocal Agreement to Implement Accord; and
3. Interlocal Agreement Establishing Joint Planning Committee.

**SECTION 3. AUTHORIZATION TO EXECUTE.** The Chairperson of the Board and the County Administrator are hereby authorized and directed to execute, deliver and accept the Agreement to Terminate the Accord, substantially in the form attached hereto as Exhibit "A" (the "Termination Agreement"), with such insubstantial changes, insertions and omissions, and such exhibits thereto, as may be approved by the Chairperson and the County Administrator, the execution thereof being conclusive evidence of such approval. The Chairperson of the Board, the County Administrator and any other authorized official of the County, are hereby authorized and directed to execute and deliver any and all additional documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out this Resolution.

**SECTION 4. SEVERABILITY.** If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this Resolution.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect as of May 21 2019.

**ADOPTED WITH A QUORUM PRESENT AND VOTING THIS THE 21<sup>st</sup> DAY OF May, 2019.**



BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

By: Stephen R. Jansson  
Chairperson

ATTEST: ANGELINA M. COLONNESO  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER

By: Wesley J. Janssen  
Deputy Clerk

EXHIBIT "A"  
to  
RESOLUTION NO. 19-053

FORM OF  
INTERLOCAL AGREEMENT TO TERMINATE THE ACCORD

This **INTERLOCAL AGREEMENT TO TERMINATE THE ACCORD** ("Interlocal Agreement") is made and entered into as of the \_\_\_ day of \_\_\_\_\_, 2019, by and among **Manatee County, Florida**, a political subdivision of the State of Florida (the "County"), the **City of Anna Maria, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Anna Maria"), the **City of Bradenton, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Bradenton"), the **City of Bradenton Beach, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Bradenton Beach"), the **City of Holmes Beach, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Holmes Beach"), the **City of Palmetto, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Palmetto"), the **Town of Longboat Key, Florida**, a municipal corporation created and existing under the laws of the State of Florida ("Longboat Key", and, collectively with Anna Maria, Bradenton, Bradenton Beach, Holmes Beach and Palmetto, the "Cities"), and the **School Board of Manatee County**, a body corporate created and existing under the laws of the State of Florida (the "School Board", and collectively with the County and the Cities, the "Parties").

**RECITALS**

**WHEREAS**, in order to address concerns regarding growth and development, the County, the Cities and the School Board, in 2003, entered into a series of interlocal agreements commonly referred to as the "Accord", which provided for cooperation in host of areas pertaining to growth management; and

**WHEREAS**, many of the cooperative goals established in the Accord (shared resources, establishment of a local option sales tax, etc.) have been achieved, and the intergovernmental concerns that motivated the Accord have been addressed to the satisfaction of the County, the Cities and the School Board, such that it is in their mutual best interests to terminate the Accord pursuant to this Interlocal Agreement.

**NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Parties agree as follows:**

**1. Termination of the Accord.** By their execution of this Interlocal Agreement, the Parties hereby agree to terminate the Accord, consisting of the following agreements:

- A. The Accord (For the Improvement of the Quality of Life of the Citizens);

- B. General Interlocal Agreement to Implement Accord; and
- C. Interlocal Agreement Establishing Joint Planning Committee.

Upon the execution and delivery of this Interlocal Agreement by the Parties, the above agreements shall, by mutual agreement of the Parties, be fully and irrevocably terminated and of no further force and effect.

**2. Ambiguities.** All Parties have been allowed equal input regarding the terms and wording of this Interlocal Agreement and have had the benefit of consultation with legal counsel prior to its execution, such that all language herein shall be construed equally against the Parties, and no language shall be construed strictly against its drafter.

**3. Headings; Pronouns.** The headings or captions of sections or paragraphs used in this Interlocal Agreement are for convenience of reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Interlocal Agreement. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine and neuter, singular or plural, as the identities of the party or Parties, personal representatives, subcontractors, successors or assigns may require.

**4. Severability.** The provisions of this Interlocal Agreement are declared by the Parties to be severable.

**5. Governing Law; Venue.** This Interlocal Agreement shall be governed by and construed in accordance with laws of the State of Florida, and venue for any action arising out of or related to this Interlocal Agreement shall be in the Circuit Court for the Twelfth Judicial Circuit in Manatee County, Florida.

**6. Full Agreement; Filing with Clerk of Circuit Court.** This Interlocal Agreement contains the entire agreement of the Parties with respect to the matters addressed herein. Previous agreements and understandings of the Parties (including without limitation the agreements constituting the Accord referenced in Section 1) with respect to such matters are null and void and of no further effect. As required by Subsection 163.01(11) of Florida Statutes, this Interlocal Agreement shall be filed with the Clerk of the Circuit Court for Manatee County.

*[signature page to follow]*

**MANATEE COUNTY, FLORIDA**

By: Board of County Commissioners

By: \_\_\_\_\_

Chairperson

ATTEST: ANGELINA M. COLONNESO  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk

**CITY OF ANNA MARIA , FLORIDA**

By: \_\_\_\_\_

Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF BRADENTON, FLORIDA**

By: \_\_\_\_\_

Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF BRADENTON BEACH,  
FLORIDA**

By: \_\_\_\_\_  
Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF HOLMES BEACH, FLORIDA**

By: \_\_\_\_\_  
Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF PALMETTO, FLORIDA**

By: \_\_\_\_\_  
Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
City Clerk

**TOWN OF LONGBOAT KEY,  
FLORIDA**

By: \_\_\_\_\_  
Mayor/Pro Tem

ATTEST:

\_\_\_\_\_  
Town Clerk

**SCHOOL BOARD OF MANATEE  
COUNTY, FLORIDA**

By: \_\_\_\_\_  
as its Chair

ATTEST:

\_\_\_\_\_  
as its Secretary