



Jody Lamar Finklea, B.C.S.
General Counsel and Chief Legal Officer
Board Certified City, County and Local Government Lawyer

ACCEPTED FOR FILING BY
THE BOARD OF COUNTY
COMMISSIONERS AT ITS
MEETING ON

BCC Mtg. Date: January 15, 2019

VIA ELECTRONIC MAIL
KATIE.SMITH@occompt.com

December 17, 2018

The Honorable Phil Diamond, CPA
Orange County Comptroller
Post Office Box 38
Orlando, FL 32802
ATTENTION: Katie Smith, BCC Clerk

**Re: Filing of Interlocal Agreement to Remove the City of Vero Beach, Florida
as a Signatory and Party**

Dear Ms. Smith:

Please find enclosed a copy of the *Interlocal Agreement Creating the Florida Municipal Power Agency* ("Agreement") among the 32 municipal electric utility members comprising the Florida Municipal Power Agency (FMIPA). The City of Vero Beach is a current signatory to the existing Interlocal Agreement, originally entered in 1978.

After the fulfillment of all contractual obligations under the Agreement and By-Laws of FMIPA, the City of Vero Beach has chosen to withdraw its membership in the FMIPA in accord with the provisions of the Agreement, and as such, has withdrawn as a signatory and party to the Agreement effective this date, December 17, 2018. A copy of Vero Beach's original signatory page to the Interlocal Agreement, and marked, "WITHDRAWN," is attached hereto, along with a redline version of "Schedule A" to the Agreement indicating the removal of Vero Beach.

Section 163.01 (11), Florida Statutes, provides: "Prior to its effectiveness, an interlocal agreement and subsequent amendments thereto shall be filed with the clerk of the circuit court of each county where a party to the agreement is located. However, if the parties to the agreement are located in multiple counties and the agreement under subsection (7) provides for a separate legal entity or administrative entity to administer the agreement, the interlocal agreement and any amendments thereto may be filed with the clerk of the circuit court in the county where the legal or administrative entity maintains its principal place of business."

FMIPA is a separate legal entity created pursuant to Section 163.01 with members in 22 counties across Florida. FMIPA's Operations Office is located in Orlando, Florida. To the extent Vero Beach's withdrawal as a signatory and party to the Agreement is an amendment within the scope

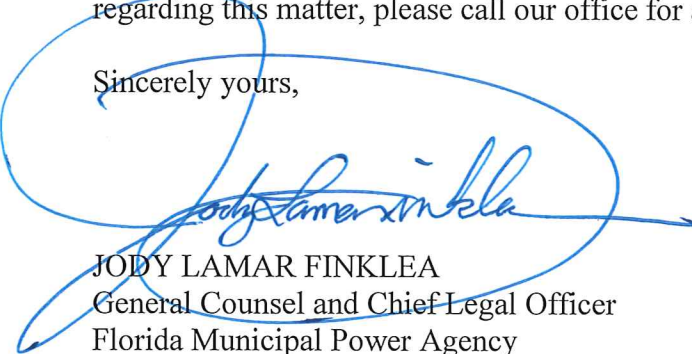
Recording Transmittal – Orange County Comptroller
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of section 163.01(11), FMPA hereby submits for filing the enclosed in fulfillment of the obligations under Section 163.01(11).

Please advise our office at karen.culpepper@fmpa.com when this item has been placed on the BCC's agenda for filing on the Record.

Thank you in advance for your anticipated assistance in this matter. If you have any questions regarding this matter, please call our office for assistance.

Sincerely yours,



JODY LAMAR FINKLEA
General Counsel and Chief Legal Officer
Florida Municipal Power Agency