

CERTIFIED LOCAL GOVERNMENT AGREEMENT

This Agreement by and between the State of Florida, Department of State, Division of Historical Resources (Department), and Martin County (County), relative to the Certified Local Government Program (Program) is entered into this ____ day of _____, 20__.

The protection and preservation of resources of historical, architectural, and archaeological value are public purposes and are essential to the health, safety and economic, educational, cultural and general welfare of the public.

This Agreement is for the purpose of implementing the Program in the County so the local government can participate more fully in the federal historic preservation program.

Under the Code of Federal Regulations, Title 36, Part 61, "Procedures for Approved State and Local Government Historic Preservation Programs," it is the responsibility of the Department, serving as the State Historic Preservation Office, to administer the Program in Florida and to enter into this Agreement.

The Florida Certified Local Government Guidelines (Guidelines), which are attached and are made a part of this Agreement, prescribe the minimum requirements established for the Program.

The County has made application to the Department for participation in the Program. The application has been evaluated by the Department and, on the basis of that evaluation, has verified that the County meets all federal requirements for certification as a Certified Local Government.

Therefore, the County is hereby certified for participation in the Program.

The Department and the County hereby agree as follows:

1. The Department shall provide the following general services:
 - a. Provide access to the Florida Master Site File to assist the County in maintaining a local inventory of historic resources.
 - b. Designate a staff member to handle communication between the County, the Department and the National Park Service.
 - c. Offer training at the initiation of the Program for the County Historic Preservation Board and staff supporting the local Program.
2. The Department shall perform the following services as specified in the Guidelines:
 - a. Provide technical assistance regarding changes to or improvement of local landmark legislation.
 - b. Provide technical assistance in the development of a system for survey and inventory activity including, but not limited to: site identification, site evaluation, survey method, and record keeping.
 - c. As long as federal law requires, reserve at least 10% of the state's annual Federal Historic Preservation Fund Grant for award to Certified Local Governments on a competitive basis and notify Florida Certified Local Governments of the availability of these funds as per Section C.3.a. of the Guidelines.

- d. Receive and process applications from Florida Certified Local Governments for matching grants-in-aid from the 10% set aside funds as specified in Section C.3.b.-h of the Guidelines. Solicitation, selection, award and administration of such grants shall be in accordance with Chapter 267, Florida Statutes, Chapter 1A-35, Florida Administrative Code, and all applicable federal laws and regulations.
 - e. Notify the County of and adhere to specified time frames for all National Register activities affecting properties within it's jurisdiction as specified in Section C.4 of the Guidelines.
 - f. Per Section C.2. of the Guidelines, monitor the County's performance and make every effort to assist the County in complying with the requirements of the Program. Monitoring includes review of grant fund allocations, review of annual reports, and other reviews as necessary and appropriate.
 - g. Provide an evaluation of the local program upon completion of review of the annual report. Methods to enhance local program effectiveness shall be identified.
 - h. Initiate and pursue the recertification process when appropriate as per Section C.2.i.-m of the Guidelines.
3. The County shall generally follow a public policy of protecting, preserving, and planning for the protection and preservation of resources of historical, architectural, and archaeological value within its jurisdiction. It shall perform the following duties in accordance with and as specified in the Guidelines:
- a. Enforce appropriate state or local legislation for the designation and protection of historic properties as per Section B.1 of the Guidelines.
 - b. Establish, by local law, a Historic Preservation Review Commission (Commission) composed of professional and lay members, as per Section B.2 of the Guidelines.
 - c. Develop and maintain a system for the survey and inventory of historic properties as per Section B.3 of the Guidelines.
 - d. Provide for public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register, per Section B.4. of the Guidelines.
 - e. Perform other responsibilities delegated to it in Section B.5 of the Guidelines.
 - f. Establish a formal procedure by ordinance, or by appropriate administrative action, whereby all proposed National Register nominations are reviewed by the Commission in accordance with Section C.4 of the Guidelines.
 - g. Submit an annual report of Certified Local Government activities and other such information pursuant to Sections C.2.(e) and (f) of the Guidelines.
 - h. Permit periodic reviews of Certified Local Government activities and documents by the State Historic Preservation Office, with at least 30 days advance notice, per Section C.2.c of the Guidelines.

4. This instrument embodies the whole Agreement of the parties. There are no provisions, terms, conditions, or obligations, other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto. No change or addition to this Agreement shall be effective unless in writing and properly executed by the parties.
5. If the local government named herein is decertified by the Department, this Agreement shall be terminated.

The Department and the County have read this Agreement and have affixed their signatures.

DEPARTMENT OF STATE

Timothy A. Parsons, Ph.D.
State Historic Preservation Officer

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

SARAH W. WOODS, COUNTY ATTORNEY