3H-8
Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	November 18, 2008	[X] Consent [] Ordinance	[] Regular [] Public Hearing			
Department:	Facilities Development & Operations					
	I. <u>EX</u>	ECUTIVE BRIEF				

Motion and Title: Staff recommends motion to approve: a Contract Amendment to Cooperative Agreement (R88-1311D) with the State of Florida Department of Agriculture and Consumer Services, Division of Forestry, allowing the continuation of countywide fire protection for forest and wild lands within Palm Beach County at an annual rate of \$41,851.95/yr.

Summary: Since 1973, the County, pursuant to Florida Statutes Section 125.27, has been invoiced for countywide fire protection of all forest and wild lands within the County by the State of Florida Department of Agriculture and Consumer Services, Division of Forestry. The initial term of the Cooperative Agreement, approved in September 1988, was to continue until superseded by a new agreement or cancelled by the Florida Statutes. This Amendment will: i) revise the total protected acreage from 599,714 acres to 597,885 acres; and ii) revise the total fee from \$0.03 to \$0.07/acre as provided for in Florida Statutes Section 125.27. The total annual assessment will be increased from \$17,991.42 to \$41,851.95. All other terms of the Cooperative Agreement remain unchanged. (PREM) Countywide (SGB)

Background and Justification: On September 6, 1988 (R88-1311D), the Board approved a Cooperative Agreement with the State of Florida Department of Agriculture and Consumer Services, Division of Forestry. This Cooperative Agreement provided for fire protection and maintenance of 538,427 acres of forest and wild lands located within Palm Beach County. Pursuant to Florida Statutes Section 125.27, the State Legislature adjusted the annual fee assessed to the County as determined by the Department of Agriculture and Consumer Services from \$0.03 to \$0.07/acre of protected land. The approval of this Amendment will provide for the continuation of fire protection for forest and wild lands by the State of Florida Department of Agriculture and Consumer Services, Division of Forestry.

Attachments:

- 1. Contract Amendment
- 2. Budget Availability Statement
- 3. Cooperative Agreement between State of Florida, Dept. of Agriculture and Consumer Services, Division of Forestry and Palm Beach County

Recommended By:	Ashny Wix	10/17/08	
	Department Director	Date	
Approved By:	of the contraction of the contra	(0/2/03	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: A. **Fiscal Years** 2009 2010 2011 2012 2013 **Capital Expenditures Operating Costs** \$41,851.95 **\$41**, 851.95 **\$41**,851.95 \$41,851.95 \$41,851.95 **External Revenues Program Income (County)** In-Kind Match (County **NET FISCAL IMPACT** \$41,851.95 <u>\$41,851.95</u> <u>\$41,851.95</u> \$41,851.95 # ADDITIONAL FTE **POSITIONS (Cumulative)** Is Item Included in Current Budget: Yes No Budget Account No: Fund 0001 Dept 760 Unit 7627 Object В. Recommended Sources of Funds/Summary of Fiscal Impact: Funding is provided by Ad Valorem from the General Fund, which will be adjusted in April 2009. Departmental Fiscal Review: C. III. REVIEW COMMENTS **OFMB Fiscal and/or Contract Development Comments:** A. This amendment complies with Legal Sufficiency: B. our review requirements. Folgel Comment: This contract and its assessment Assistant County Attorney upm you County are mandated by 5 125.27. Flurida Statuts C. Other Department Review:

This summary is not to be used as a basis for payment.

Department Director

Page 1 of 2 FDACS CONTRACT #

CONTRACT AMENDMENT

Please Respond To: Division of Forestry
Forest Protection Bureau
3125 Conner Blvd. Suite A
Tallahassee, FL 32399-1650

July 31, 2008

Palm Beach County

RE: Amendment of Contract # 1934 dated 09/21/88.

This letter, upon execution by both parties and attachment to the original contract shall serve to amend said contract. The contract shall be amended as follows:

The third recital paragraph and paragraphs 1 & 2, are amended as follows:

FROM

WHEREAS, Section 125.27, Florida Statute, also provides that each county shall, under the terms of this agreement, be assessed each fiscal year as its share of the cost of providing such fire protection a sum in dollars equal to the total forest and wild land acreage of the county, as determined by the Department, multiplied by three cents (\$.03).

- 1. The Department shall provide fire protection for 538,427 acres of forest and wildlands within County.
- 2. The County shall, under the terms of this agreement; pay to the Department annually as its share of the cost of providing such fire protection, \$16,153, said receipts to be deposited in the General Revenue Fund of the State.

TO

WHEREAS, Section 125.27, Florida Statute, also provides that each county shall, under the terms of this agreement, be assessed each fiscal year as its share of the cost of providing such fire protection a sum in dollars equal to the total forest and wild land acreage of the county, as determined by the Department, multiplied by seven cents (\$.07).

1. The Department shall provide fire protection for 597,885 acres of forest and wild lands within County.

Fresh

DACS-010186 Rev 09/07

Florida Agriculture and Forest Products

\$ 97 Billion for Florida's Economy

ATTACHMENT #!



Florida Department of Agriculture and Consumer Services CHARLES H. BRONSON, Commissioner The Capitol - Tallahassee, FL 32399-0800

CONTRACT AMENDMENT

2. The County shall, under the terms of this agreement; pay to the Department annually its share of the cost of providing such fire protection \$41,851.95, said receipts to be deposited as prescribed by Florida Statute.

NO OTHER PROVISIONS OF THIS CONTRACT ARE AMENDED OR OTHERWISE ALTERED BY THIS AMENDMENT.

Miles / Julean	
Mike Gresham Director of Admnistration	(Signature)
Department of Agriculture and Consum r Services	(Title)
Megnt 5, 2008	(Company)
(Date)	(Date)
ATTEST:	COUNTY:
SHARON R. BOCK	PALM BEACH COUNTY, a
CLERK & COMPTROLLER	political subdivision of the State of Florida
By:	By:
Deputy Clerk	Chair
APPROVED AS TO FORM	A DDD OVERD A G TO TTO A
AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
Ву:	But Admin Wolf
Assistant County Attorney	By: Audrey Wolf, Director
	Facilities Development & Operation
ACS-010186 Rev 09/07 Fresh	

\$ 97 Billion for Florida's Economy

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: October 14, 2008	REQUESTED BY:	M. LaVerghetta	PHONE FAX:	233.0231 233.0210	•
PROJECT TITLE: Amendment, Divi	ision of Forestry Wildlan	d Fire Protection Fees	PROJE	CT NO.: 2008	-8.01
ORIGINAL CONTRACT AMOUNT: \$	516,153.00	BCC I	RESOLUT	ΓΙΟΝ#: R88-1	l311I
REQUESTED AMOUNT: \$	41,851.95	DATE	: October	14, 2008	
CSA or CHANGE ORDER NUMBER:	n/a	·			
CONSULTANT/CONTRACTOR: F	lorida Dept of Agricult	ure and Consumer S	Services		
PROVIDE A BRIEF STATEMENT CONSULTANT/CONTRACTOR: Fire					TH
CONSTRUCTION VENDOR SERVICES \$41,851 STAFF COSTS** EQUIP. / SUPPLIES CONTINGENCY TOTAL \$41,851.					
** By signing this BAS your department as BAS by FD&O. Unless there is a change of BUDGET ACCOUNT NUMBER FUND: 0001 DEPT: 760 UNIT	grees to these staff costs of in the scope of work, no of the scope of Signature of the scope of Work, no of the scope of the	and your account will additional staff charg	be charge es will be l	d upon receipt pilled.	of th
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BAS APPROVED BY: See	A Hachal	DAT:	E:	.1408	
ENCUMBRANCE NUMBER:				.	
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Florida Department of Agriculture and Consumer Services CHARLES H. BRONSON, Commissioner The Capitol • Tallahassee, FL 32399-0800

Please Respond to:

June 11, 2001

In accordance with Chapter 20.05(1)(b), Florida Statutes, the Department Head may delegate authority without being relieved of responsibility to such assistants and deputies as designated by the Department Head to execute any of the powers, duties and functions vested in the Department unless the Head of the Department is explicitly required by law to perform the same without delegation.

Your signature below authorizes Terry L. Rhodes, Assistant Commissioner of Agriculture, and Mike Gresham, Director of Administration, to execute any/all applicable contracts on behalf of the Department.

CHARLES H. BRONSON, Commissioner of

CHARLES H. BRONSON, Commissioner of Agriculture Department of Agriculture and Consumer Services



Florida Agriculture and Forest Products
\$53 Billion for Florida's Economy

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