

3H-2

Agenda Item #:

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:** December 16, 2008

☒ **Consent** ☐ **Regular**

☐ **Workshop** ☐ **Public Hearing**

**Department:** Facilities Development & Operations

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to: **A) Approve** Agreement with Nextel South Corp. (Nextel) for Nextel to pay for the reconfiguration of the County's frequencies on the 800 MHz radio band; and

**B) Approve** a budget amendment of \$248,107 in the General Fund recognizing revenue received and increasing the 800MHz operating budget; and

**C) Authorize** the County Administrator or his designee to execute all documents required to administer this Agreement including any change orders which do not have any fiscal impact to the County.

**Summary:** This Agreement with Nextel provides the terms and conditions under which Nextel will reconfigure the County's frequencies on the 800 MHz radio band. In 2004, the Federal Communications Commission issued an order that modified its rules governing the 800 MHz band requiring reconfiguration to minimize harmful interference to public safety radio communication systems. The County and Nextel are both licensed on frequency allocations subject to reconfiguration. Pursuant to the Order, Nextel will pay the County the total amount to effect a reconfiguration of the County's affected frequency allocations. Under the terms of this Agreement, the County will relinquish its current frequencies and relocate its system to newly assigned replacement frequencies and Nextel will pay the County and its vendors for the costs incurred.  
**(FDO/ESS) Countywide (MJ)**

**Background and Justification:** On August 15, 2006 the County entered into a Frequency Reconfiguration Agreement (FRA and R2006-1421) with Nextel under which Nextel was to reconfigure the County's frequencies on the 800 MHz radio band. Under the terms of the FRA, the County relinquishes its current frequencies and relocates its system to newly assigned replacement frequencies. On February 27, 2007, the Board approved the mutual Assignment of FCC Licenses/Reconfiguration Certification and Closing Certificates (R2007-0279). This Agreement which is Phase 2 of the FRA sets forth; 1) the frequencies to be reconfigured, 2) the process for reconfiguration of the frequencies by the County, 3) the costs of the reconfiguration, and 4) the process by which the County will be reimbursed for its costs and its Vendors paid for their costs.

**Attachments:**

Frequency Reconfiguration Agreement  
Budget Amendment

**Agenda item is more than 50 pages;  
may be viewed in Administration.**

**Recommended by:**

  
Department Director

  
Date

**Approved by:**

  
County Administrator

  
Date

## II. FISCAL IMPACT ANALYSIS

### Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	248,106.90	-0-	-0-	-0-	-0-
External Revenues	(248,106.90)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes ☒ No ☐

Budget Account No: Fund 0001 Department 410 Unit 6999 Object

Reporting Category

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

The total cost of implementing Phase 2 of the FRA is \$2,508,141.85. Pursuant to the terms of the Agreement, Nextel will reimburse the County its costs estimated at \$248,106.90 and pay the County's vendors directly for their costs in the amount of; 1) Motorola \$1,967,259.80; 2) EFJ \$184,783.45; and 3) Citation Communications \$107,991.70.

C. Departmental Fiscal Review: 11-24-08

## III. REVIEW COMMENTS:

### A. OFMB Fiscal and/or Contract Development & Control Comments:

12-2-08  
OFMB  
CN 12/2/08

12/3/08  
Contract Dev. and Control  
12/3/08

### B. Legal Sufficiency:

12/5/08  
Assistant County Attorney

This Contract complies with our contract review requirements.