

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 20, 2010 ☒ Consent ☐ Regular
☐ Workshop ☐ Public Hearing
 Department
 Submitted For: FIRE RESCUE

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt a resolution, pursuant to Section 125.38, Florida Statutes, conveying and transferring certain fire-rescue air-pack and related equipment to the Florida Department of Agriculture and Consumer Services, Division of Forestry, contingent upon receipt of \$10.00 consideration and a duly executed acceptance form; providing for an effective date.

Summary: The Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) has requested the County convey and transfer twenty (20) air-pack units, twelve (12) additional face masks with twelve (12) accompanying communication devices, and twelve (12) additional regulators, to the DOF for use by its firefighters when providing emergency wildfire response throughout the State. The DOF responds to incidents throughout the State of Florida, including Palm Beach County, utilizing special equipment for firefighting to attack wildfires. The equipment requested by the DOF has minimal useful value to the Fire/Rescue MSTU and would provide a valuable air source to DOF firefighters when called upon to work fires where noxious fuels are present, as well as areas where dumping has occurred. This equipment is currently part of Fire Rescue's reserve equipment and would otherwise be scheduled for transfer to surplus. The total estimated value of this equipment is \$5,000.

Countywide (SB)

Background and Policy Issues: The State DOF monitors where all existing/active wildfires are within the State of Florida as well as where all open burn authorizations are planned on any particular day. Specialized equipment for wildfire prevention and firefighting is used to attack wildfires and respond to other emergency needs, and includes one of the foremost aviation programs in the country. When necessary, specially equipped helicopters are used for fire suppression along with fixed wing airplanes for detection and fire intelligence during suppression activities. The air-packs requested by the DOF will enhance their ability to maintain a valuable air source to its firefighters while responding to emergency fire incidents including noxious vegetative fuels as well as areas where dumping has occurred.

Attachments:

1. Resolution Conveying certain fire rescue equipment to the Florida Department of Agriculture and Consumer Services, Division of Forestry, with attached Acceptance of Fire-Rescue Vehicles(s) and/or Equipment form
2. Letter from the Florida Department of Agriculture and Consumer Services requesting Fire-Rescue equipment
3. Request to Transfer Asset to Fixed Assets Management Office form

Recommended By: [Signature] 6-7-10
 Deputy Chief Date

Approved By: [Signature] 6/8/10
 Fire-Rescue Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2010	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>5,000</u>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* <u>5,000</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____

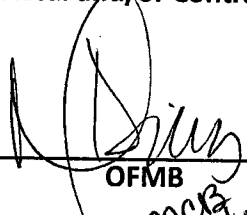
B. Recommended Sources of Funds/Summary of Fiscal Impact:

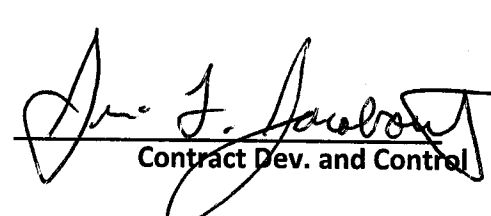
* The current estimated value of this fire rescue equipment is approximately \$5,000. The transfer of this equipment to the State for nominal value will increase the net cost of our next purchase for this type asset by a like amount.

C. Departmental Fiscal Review: _____

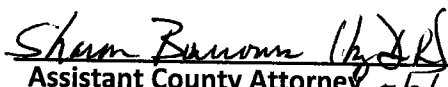
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 6/30/10
 OFMB

 6/30/10
 Contract Dev. and Control

B. Legal Sufficiency:


 Assistant County Attorney 7/7/10

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

RESOLUTION NO. 2010-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, CONVEYING AND TRANSFERRING CERTAIN FIRE-RESCUE AIR-PACK AND RELATED EQUIPMENT TO THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, CONTINGENT UPON RECEIPT OF TEN DOLLARS CONSIDERATION AND A DULY EXECUTED ACCEPTANCE FORM; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Agriculture and Consumer Services, Division of Forestry (hereinafter the "DOF") is an agency of the State of Florida that responds to wildfire emergency incidents throughout the State of Florida, including Palm Beach County; and

WHEREAS, the DOF desires and has requested that the County convey to the DOF twenty air-pack units, twelve additional face masks with accompanying communication devices, and twelve additional regulators, for use by DOF's firefighters when responding to wildfire emergency incidents; and

WHEREAS, the Board of County Commissioners of Palm Beach County (hereinafter the "Board") is satisfied that the equipment requested is not needed for County purposes, has minimal useful value to the Fire/Rescue MSTU, and is required by the DOF for the above stated intended use, which will enhance public services and benefit the public interest and welfare within the Fire/Rescue MSTU.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Pursuant to Section 125.38, Florida Statutes, the Board hereby conveys and transfers to the DOF the below described fire rescue equipment, contingent upon receipt of Ten Dollars (\$10.00) consideration from the DOF and receipt of the attached Acceptance of Fire-Rescue Vehicle(s) and/or Equipment form duly executed by the DOF upon its acceptance of the equipment:

Twenty (20) Draeger Airboss SCBA air pack units (Asset numbers: 10144234, 10153188,

K11454, 10142735, 10153176, 10144235, K11462, 10153187, 10144190, K11463, 10144144, 10144105, 10153154, 10144228, 10142719, 10144115, K11450, K11461, K11457, K11464); and

twelve (12) Panarama Nova face masks (Serial numbers: ARXJ-0243, ARYK-Q433, ARYN-0254, ARXA-1407, ARTA-0242, ARSA-0388, ARMK-0397, ARUK-0267, ARTA-0284, ARII-0572, ARMK-0334, ARHI-0081) with twelve (12) accompanying Breathing Apparatus Communication Devices (Serial numbers: 35864, 36539, 36204, 44740, 43168, 44746, 36547, 46328, 43212, 36674, 36875, 36422); and

twelve (12) Spare Lung Demand Valves (regulators) (Serial numbers: BRSE-1978, BRTC-0652, BRSE-0475, BRSE-1971, BRSE-1976, BRSE-2016, BRSE-1990, BRSE-1984, BRSE-1959, BRSE-1213, BRSE-2009, BRSE-1987).

Upon receipt of the Ten Dollars (\$10.00) consideration and the duly executed acceptance form, the above equipment shall be delivered to the DOF at Palm Beach County Fire Rescue, Support Services, 2601 Vista Parkway, West Palm Beach, Florida 33411.

Section 3. The provisions of this Resolution shall be effective immediately.

The foregoing resolution was offered by Commissioner _____ who moved its adoption.

The Motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

DISTRICT 1:	Karen T. Marcus
DISTRICT 2:	John F. Koons
DISTRICT 3:	Shelley Vana
DISTRICT 4:	Steven L. Abrams
DISTRICT 5:	Burt Aaronson
DISTRICT 6:	Jess R. Santamaria
DISTRICT 7:	Priscilla A. Taylor

The Chair thereupon declared the resolution duly passed and adopted this _____ day of _____, 2010.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER,
PALM BEACH COUNTY

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

Acceptance of Fire-Rescue Vehicle(s) and/or Equipment

The Florida Department of Agriculture and Consumer Services, Division of Forestry ("DOF") does hereby receive and accept from Palm Beach County ("County") title, ownership and possession of the following fire-rescue vehicle(s) and/or equipment.

Description of Vehicle(s) and/or Equipment as applicable:

Twenty (20) Draeger Airboss SCBA air pack units (Asset numbers: 10144234, 10153188, K11454, 10142735, 10153176, 10144235, K11462, 10153187, 10144190, K11463, 10144144, 10144105, 10153154, 10144228, 10142719, 10144115, K11450, K11461, K11457 and K11464); and

twelve (12) Panarama Nova face masks (Serial numbers: ARXJ-0243, ARYK-Q433, ARYN-0254, ARXA-1407, ARTA-0242, ARSA-0388, ARMK-0397, ARUK-0267, ARTA-0284, ARII-0572, ARMK-0334, ARHI-0081) with twelve (12) accompanying Breathing Apparatus Communication Devices (Serial numbers: 35864, 36539, 36204, 44740, 43168, 44746, 36547, 46328, 43212, 36674, 36875, 36422); and

twelve (12) Spare Lung Demand Valves (regulators) (Serial numbers: BRSB-1978, BRTC-0652, BRSE-0475, I BRSB-1971, BRSB-1976, BRSB-2016, BRSB-1990, BRSB-1984, BRSB-1959, BRSB-1213, BRSB-2009, BRSB-1987).

DOF acknowledges that it has inspected the vehicle(s) and/or equipment identified above and that it has accepted each one "as is". DOF further acknowledges that County has not made and does not make any representation, warranty, or covenant, express or implied, with respect to the fitness, merchantability, design, construction, capacity, suitability or performance of the transferred vehicle(s) and/or equipment as identified above.

Disclaimer of Warranties and Liability. DOF understands and agrees that the County is not the manufacturer or merchant of the transferred vehicle(s) and/or equipment as identified above, nor the agent of said manufacturer or merchant, and that no warranties, whether express or implied, are given by County.

THE VEHICLE(S) AND/OR EQUIPMENT TRANSFERRED TO DOF BY THE COUNTY, AND ACCEPTED BY DOF HEREUNDER, ARE TRANSFERRED, CONVEYED AND ACCEPTED "AS IS". NO WARRANTIES, WHETHER EXPRESS OR IMPLIED, ARE GIVEN. ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED.

DOF acknowledges and agrees that it has fully inspected the vehicles and/or equipment identified above and is accepting said vehicle(s) and/or equipment in complete reliance upon DOF's inspection of said vehicles and/or equipment and upon DOF's own knowledge and expertise in evaluating the condition of the said vehicles and/or equipment and DOF's intended use of said vehicles and/or equipment. DOF acknowledges and agrees that in accepting said vehicles and/or equipment, DOF has not, and shall not, rely upon any statement, advice, information or representation made by the County or any of its employees, officers or agents. No oral or written statement, advice, information or representation from County or any of its employees, officers or agents, whether given before or after delivery of the vehicle(s) and/or equipment, shall create a warranty, and DOF acknowledges and agrees that it has not, and shall not, rely on any such advice, information or representation.

DOF understands and agrees that the County is not a seller engaged in the business of selling vehicles and/or equipment such as those identified above. DOF shall be solely responsible for inspecting the vehicle(s) and/or equipment identified above for any defects, either latent or patent, and for refurbishing and repairing said vehicle(s) and/or equipment as necessary prior to their use and operation, and that the County shall have no obligation or liability for such. DOF acknowledges that the County has warned DOF, and DOF specifically understands, that the vehicle(s) and/or equipment identified above may

not be suitable or safe for DOF's intended use and operation until inspected, repaired and refurbished by DOF, and DOF agrees to do so prior to allowing the use and/or operation of said vehicle(s) and/or equipment. DOF shall be solely responsible for continuing maintenance of the transferred vehicle(s) and/or equipment, and the County shall have no obligation or liability for such.

Hold Harmless and Indemnification. To the extent permitted by law, DOF shall indemnify, defend and hold harmless the County, including its employees, officers, and agents, against any actions, claims or damages arising out of DOF's use, possession, operation, maintenance or ownership of any vehicle(s) and/or equipment transferred to, and accepted by, DOF. The foregoing shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes.

**Florida Department of Agriculture and Consumer Services
Division of Forestry**

BY: _____
David Crane, District Manager Date

The foregoing instrument was acknowledged, subscribed and sworn to before me this _____ day of _____, 2010, by

_____, who is personally known to me or who has produced
_____ as identification, and who did take an oath.

Notary Signature
Print Notary Name
Notary Public, State of Florida
My Commission Expires:

[SEAL]



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800
www.doacs.state.fl.us

Please Respond to:
Division of Forestry
3315 SW College Ave.
Davie, FL 33314

February 4, 2010

Steve Jerauld, Chief
Palm Beach County Fire Rescue
405 Pike Road
West Palm Beach, FL 33411-3815

Chief Steve Jerauld,

The Division of Forestry is working toward providing SCBA for use by our firefighters when operating equipment in heavy smoke. Should Palm Beach County Fire Rescue have any air pack units that are no longer needed, we would appreciate the opportunity to obtain some units.

I am seeking 20 air pack units, 12 additional face masks, and 12 additional regulators. I am working toward utilizing the air packs on our open-cab Bombardiers. We have been testing one such air pack on a bombardier unit for the past three years. Having an air source has proved valuable when working fires where noxious vegetative fuels such as Poisonwood and Melaleuca are present as well as areas where dumping has occurred.

If the chance arises that you upgrade or replace SCBA's please consider my request.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

David Crane

David Crane
District Manager
(954) 475-4132



Florida Agriculture and Forest Products
Over \$100 Billion for Florida's Economy

REQUEST TO TRANSFER ASSET TO FIXED ASSETS MGT OFFICE
PALM BEACH COUNTY

DEPARTMENT/DIVISION NAME Fire Rescue / Support Services	CUSTODIAN CODE 6120	DATE April 13, 2010

ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
10144234	Draeger Alrboss SCBA	4	3					
10153188	Draeger Alrboss SCBA	4	3					
K11454	Draeger Alrboss SCBA	4	3					
10142735	Draeger Alrboss SCBA	4	3					
10153176	Draeger Alrboss SCBA	4	3					
10144235	Draeger Alrboss SCBA	4	3					
K11462	Draeger Alrboss SCBA	4	3					
10153187	Draeger Alrboss SCBA	4	3					

REASON CODES
1 – EXCESS 2 – OBSOLETE 3 – OTHER SURPLUS (specify) _____ 4 – STATUTORY/PUBLIC PURPOSE/BCC ACTION (Describe in Comments section below)

CONDITION CODES
1 – NEW 2 – GOOD 3 – FAIR 4 – POOR 5 – BROKEN/SERVICEABLE 6 – BROKEN/BEYOND REPAIR 7 – OTHER _____

COMMENTS (details on Reason 4 transfers, trade-ins, scrapping and thefts required here) **Board action on 7-20-10**

REQUESTED BY – ORIGINATING DEPARTMENT	APPROVAL – FIXED ASSETS MANAGEMENT OFFICE
ORIGINATOR <u>- SEE PAGE 3 OF 3 -</u> DATE _____	INVENTORY OFFICER _____ DATE _____
INVENTORY OFFICER _____ DATE _____	
CUSTODIAN _____ DATE _____	WAREHOUSE _____ DATE _____

DISTRIBUTION: ORIGINAL SIGNATURES – FAMO

PHOTOCOPY – Originating Department

Rev 12/2003

REQUEST TO TRANSFER ASSET TO FIXED ASSETS MGT OFFICE
PALM BEACH COUNTY

OFMB/FINANCIAL MANAGEMENT DIVISION
FIXED ASSETS MANAGEMENT OFFICE
Form #2

DEPARTMENT/DIVISION NAME Fire Rescue / Support Services	CUSTODIAN CODE 6120	DATE April 13, 2010

ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
10144190	Draeger Alrboss SCBA	4	3					
K11463	Draeger Alrboss SCBA	4	3					
10144144	Draeger Alrboss SCBA	4	3					
10144105	Draeger Alrboss SCBA	4	3					
10153154	Draeger Alrboss SCBA	4	3					
10144228	Draeger Alrboss SCBA	4	3					
10142719	Draeger Alrboss SCBA	4	3					
10144115	Draeger Alrboss SCBA	4	3					

REASON CODES
1 – EXCESS 2 – OBSOLETE 3 – OTHER SURPLUS (specify) _____
4 – STATUTORY/PUBLIC PURPOSE/BCC ACTION (Describe in Comments section below)

CONDITION CODES
1 – NEW 2 – GOOD 3 – FAIR 4 – POOR 5 – BROKEN/SERVICEABLE 6 – BROKEN/BEYOND REPAIR 7 – OTHER _____

COMMENTS (details on Reason 4 transfers, trade-ins, scrapping and thefts required here) **Board action on 7-20-10**

REQUESTED BY – ORIGINATING DEPARTMENT	APPROVAL – FIXED ASSETS MANAGEMENT OFFICE
ORIGINATOR - SEE PAGE 3 OF 3 - DATE _____	INVENTORY OFFICER _____ DATE _____
INVENTORY OFFICER _____ DATE _____	
CUSTODIAN _____ DATE _____	WAREHOUSE _____ DATE _____

REQUEST TO TRANSFER ASSET TO FIXED ASSETS MGT OFFICE
PALM BEACH COUNTY

OFMB/FINANCIAL MANAGEMENT DIVISION
FIXED ASSETS MANAGEMENT OFFICE
Form #2

DEPARTMENT/DIVISION NAME Fire Rescue / Support Services	CUSTODIAN CODE 6120	DATE April 13, 2010

ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
K11450	Draeger Alrboss SCBA	4	3					
K11461	Draeger Alrboss SCBA	4	3					
K11457	Draeger Alrboss SCBA	4	3					
K11464	Draeger Alrboss SCBA	4	3					

REASON CODES
1 – EXCESS 2 – OBSOLETE 3 – OTHER SURPLUS (specify) _____ 4 – STATUTORY/PUBLIC PURPOSE/BCC ACTION (Describe in Comments section below)

CONDITION CODES
1 – NEW 2 – GOOD 3 – FAIR 4 – POOR 5 – BROKEN/SERVICEABLE 6 – BROKEN/BEYOND REPAIR 7 – OTHER _____

COMMENTS (details on Reason 4 transfers, trade-ins, scrapping and thefts required here) **Board action on 7-20-10**

REQUESTED BY – ORIGINATING DEPARTMENT		APPROVAL – FIXED ASSETS MANAGEMENT OFFICE	
ORIGINATOR _____	DATE _____	INVENTORY OFFICER _____	DATE _____
INVENTORY OFFICER <i>[Signature]</i> _____	DATE <i>4/13/10</i> _____		
CUSTODIAN _____	DATE _____	WAREHOUSE _____	DATE _____