

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2012

Consent Regular
 Public Hearing

Department:

Submitted By: ADMINISTRATION

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file:

A) Resolution No. 203-12 of the City Commission of the City of West Palm Beach, Florida, strongly supporting the County's continued allocation of the \$12.50 funds to the municipalities pursuant to County Resolution R2002-0192, which serves to enhance the County's Intergovernmental Communications Plan; and strongly supporting the County's disbursement of the \$12.50 funds to cover expenses for all municipalities that have radio systems that are functionally interoperable with the County's radio system without arbitrary distinctions being made; and

B) Resolution No. 2012-04 of the Town Council of the Town of Haverhill, Florida, strongly supporting the County's continued allocation of the \$12.50 funds to the municipalities pursuant to County Resolution R2002-0192, which serves to enhance the County's Intergovernmental Communications Plan; and strongly supporting the County's disbursement of the \$12.50 funds to cover expenses for all municipalities that have radio systems that are functionally interoperable with the County's radio system without arbitrary distinctions being made,

Summary: N/A

Background and Justification: N/A

Attachments:

1. Resolution No. 203-12 of the City of West Palm Beach
2. Resolution No. 2012-04 of the Town of Haverhill

Recommended By: Patty Hordley

Agenda Coordinator

8/3/12

Date

Approved By: [Signature]

Assistant County Administrator

8/6/12

Date



"The Capital City of the Palm Beaches"

CITY CLERK
P.O. Box 3366
West Palm Beach, FL 33402
Telephone: 561/822-1210 Fax: 561/822-1214

AUG 01 2012

July 27, 2012

County Administrator Robert Weisman
Palm Beach County Governmental Center
301 North Olive Avenue, Suite 1101
West Palm Beach, FL 33401

SUBJECT: Resolution No. 203-12

Dear Mr. Weisman:

Enclosed is a copy of Resolution No. 203-12, which was adopted by the West Palm Beach City Commission on July 23, 2012. It is being forwarded to you as directed in Section 4 of the resolution. The resolution is strongly supporting the County's continued allocation of the \$12.50 funds to the municipalities pursuant to County Resolution No. R-2002-0192.

If you have any questions, please do not hesitate to contact us.

Sincerely,

City Clerk's Office

Enclosure

Attachment # 1

RESOLUTION NO. 203-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, STRONGLY SUPPORTING THE COUNTY'S CONTINUED ALLOCATION OF THE \$12.50 FUNDS TO THE MUNICIPALITIES PURSUANT TO COUNTY RESOLUTION NO. R-2002-0192, WHICH SERVES TO ENHANCE THE COUNTY'S INTERGOVERNMENTAL COMMUNICATIONS PLAN; AND STRONGLY SUPPORTING THE COUNTY'S DISBURSEMENT OF THE \$12.50 FUNDS TO COVER EXPENSES FOR ALL MUNICIPALITIES THAT HAVE RADIO SYSTEMS THAT ARE FUNCTIONALLY INTEROPERABLE WITH THE COUNTY'S RADIO SYSTEM WITHOUT ARBITRARY DISTINCTIONS BEING MADE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 318.21(9), *Florida Statutes*, authorizes Palm Beach County to receive twelve dollars and fifty cents (the "\$12.50 Funds") from each moving traffic violation written by municipal law enforcement officers under limited circumstances in order to fund the county's participation in an intergovernmental radio communication program approved by the State Department of Management Services; otherwise those monies must be distributed to the municipality in which the violations occurred; and

WHEREAS, the intent and spirit of Section 318.21(9), *Florida Statutes*, is for the \$12.50 Funds to be used to create and maintain interoperability of agencies within a countywide intergovernmental radio communications program which includes all municipalities; and

WHEREAS, on February 5, 2002, the Board of County Commissioners adopted Resolution No. R-2002-0192, which allocated the \$12.50 Funds generated by the municipal law enforcement officers to the municipalities in order to encourage the interoperability of municipal communications systems with the countywide public safety communications system and to enhance the Palm Beach County's Intergovernmental Radio Communications Plan; and

WHEREAS, the municipalities in Palm Beach County have been working diligently to build and enhance their own communications systems to become interoperable with that of Palm Beach County; and

WHEREAS, this program has resulted in all municipalities being interoperable with Palm Beach County's system; and

WHEREAS, the City of West Palm Beach has learned that County staff intend to recommend that the Board of County Commissioners rescind County Resolution R-2002-0192, terminate all future disbursements of the municipal \$12.50 Funds to the municipalities and sweep all remaining balances currently in the "Municipal Org" to the "County Org" so that those moneys will no longer be available to municipalities for their communications systems even though several municipalities have considerable sums of money in their allocation column and have relied on those funds in constructing extensive communication systems to connect with that of Palm Beach County; and

RESOLUTION NO. 203-12

SECTION 4: The Deputy City Clerk is hereby directed to transmit this executed Resolution to each of the Palm Beach County Commissioners, and to County Administrator Robert Weisman, at Palm Beach County Governmental Center, 301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401, prior to August 21, 2012, when the Board of County Commissioners will consider this matter.

SECTION 5: This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 23rd day of July, 2012.

(CORPORATE SEAL)

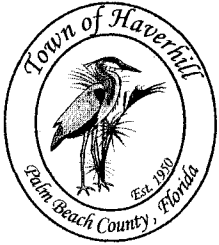
**CITY OF WEST PALM BEACH
BY ITS COMMISSION**

ATTEST:

By: Seraldine Muñoz
PRESIDING OFFICER

[Signature]
DEPUTY CITY CLERK

CITY ATTORNEY'S OFFICE
Approved as to form and legality
By [Signature]



Town Hall

4585 Charlotte Street

Haverhill, FL 33417-5911

(561) 689-0370

FAX: (561) 689-4317

www.townofhaverhill-fl.gov



Town Council

Jay G. Foy, Mayor

James E. Woods, Vice Mayor

Jerry E. Beavers

Lawrence Gordon

Mark C. Uptegraph

Town Administrator

Janice C. Rutan, CMC

Deputy Town Clerk

Jessica Shepherd, CMC

Director of Public Works

Joseph M. Roche

Building Official

Wayne Cameron

AUG 03 2012

August 1, 2012

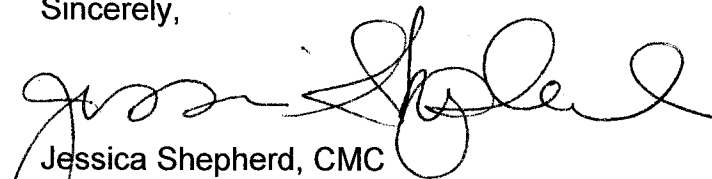
County Administrator Robert Weisman
Palm Beach County Governmental Center
301 North Olive Ave., Suite 1101
West Palm Beach, FL 33401

RE: Resolution No. 2012-04 The Town of Haverhill Strongly Supporting the County's Continued Allocation of the \$12.50 Funds to the Municipalities Pursuant to County Resolution No. R-2002-0192

Dear Mr. Weisman:

The Town of Haverhill Council at their Regular Meeting on July 26, 2012 passed and adopted Resolution No. 2012-04. I have enclosed a copy of the Resolution for your review and consideration.

Sincerely,



Jessica Shepherd, CMC
Deputy Town Clerk

Enclosures

cc: Richard Ratcliff @ PBC League of Cities

Attachment #

2

RESOLUTION NO. 2012-04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, STRONGLY SUPPORTING THE COUNTY'S CONTINUED ALLOCATION OF THE \$12.50 FUNDS TO THE MUNICIPALITIES PURSUANT TO COUNTY RESOLUTION NO. R-2002-0192, WHICH SERVES TO ENHANCE THE COUNTY'S INTERGOVERNMENTAL COMMUNICATIONS PLAN; AND STRONGLY SUPPORTING THE COUNTY'S DISBURSEMENT OF THE \$12.50 FUNDS TO COVER EXPENSES FOR ALL MUNICIPALITIES THAT HAVE RADIO SYSTEMS THAT ARE FUNCTIONALLY INTEROPERABLE WITH THE COUNTY'S RADIO SYSTEM WITHOUT ARBITRARY DISTINCTIONS BEING MADE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 318.21(9), *Florida Statutes*, authorizes Palm Beach County to receive twelve dollars and fifty cents (the "\$12.50 Funds") from each moving traffic violation written by municipal law enforcement officers under limited circumstances in order to fund the county's participation in an intergovernmental radio communication program approved by the State Department of Management Services; otherwise those monies must be distributed to the municipality in which the violations occurred; and

WHEREAS, the intent and spirit of Section 318.21(9), *Florida Statutes*, is for the \$12.50 Funds to be used to create and maintain interoperability of agencies within a countywide intergovernmental radio communications program which includes all municipalities; and

WHEREAS, on February 5, 2002, the Board of County Commissioners adopted Resolution No. R-2002-0192, which allocated the \$12.50 Funds generated by the municipal law enforcement officers to the municipalities in order to encourage the interoperability of municipal communications systems with the countywide public safety communications system and to enhance the Palm Beach County's Intergovernmental Radio Communications Plan; and

WHEREAS, the municipalities in Palm Beach County have been working diligently to build and enhance their own communications systems to become interoperable with that of Palm Beach County; and

WHEREAS, this program has resulted in all municipalities being interoperable with Palm Beach County's system; and

WHEREAS, the **Town of Haverhill** has learned that County Staff intends to recommend that the Board of County Commissioners rescind County Resolution R-2002-0192, terminate all future disbursements of the municipal \$12.50 Funds to the municipalities and sweep all

remaining balances currently in the "Municipal Org" to the "County Org" so that those moneys will no longer be available to municipalities for their communications systems even though several municipalities have considerable sums of money in their allocation column and have relied on those funds in constructing extensive communication systems to connect with that of Palm Beach County; and

WHEREAS, the **Town of Haverhill** has also learned that County Staff is refusing to disburse \$12.50 Funds to municipalities that have chosen to utilize the Municipal Public Safety Communication Consortium's (the "MPSCC") system to become interoperable with Palm Beach County's system, which include but are not limited to the Town of Jupiter, the City of Palm Beach Gardens and the City of Atlantis, even though the MPSCC's system enables those municipalities to be interoperable with Palm Beach County's radio system; and

WHEREAS, the continuation of this program has been endorsed by the Criminal Justice Commission and the Palm Beach County Association of Chiefs of Police and is proposed to be endorsed by the Law Enforcement Planning Council on August 2, 2012, indicating the recognition by those agencies that the \$12.50 Fund allocation is necessary for the maintenance and enhancements of the countywide communications system to provide for the well being of all citizens of Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, THAT:

SECTION 1: The **Town of Haverhill** strongly supports the continued allocation of the \$12.50 Funds to all municipalities pursuant to Resolution No. 2002-0192. Such continued allocation is essential to maintaining the interoperability of all municipal communications systems with the countywide public safety communications system. Such continued allocation further enhances participation in the Palm Beach County Intergovernmental Communications Plan. Therefore, the **Town of Haverhill** strongly requests that the Board of County Commissioners deny any requests to rescind Resolution No. 2002-0192 and/or to terminate the \$12.50 Funds allocation program.

SECTION 2: The **Town of Haverhill** strongly supports the County's approval of requests for reimbursement from the \$12.50 Funds made by all municipalities including those utilizing the MPSCC system to become interoperable with Palm Beach County's system, which

include, but are not limited to, the Town of Jupiter, the City of Palm Beach Gardens and the City of Atlantis. All municipal radio systems are functionally interoperable with Palm Beach County's radio system and the **Town of Haverhill** believes that County Staff has rejected certain requests for disbursement based on arbitrary and unsupported distinctions.

SECTION 3: The **Town Council** of the **Town of Haverhill**, Florida, believes the \$12.50 allocation is necessary for the maintenance and enhancements of the countywide communications system to provide for the well being of all citizens of Palm Beach County.

SECTION 4: This **Town Council** directs the **Town Clerk** to transmit the executed Resolution to each of the Palm Beach County Commissioners, and to County Administrator Robert Weisman, at Palm Beach County Governmental Center, 301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401, prior to August 21, 2012, when the Board of County Commissioners will consider this matter.

SECTION 5: This resolution shall become effective immediately upon its adoption.

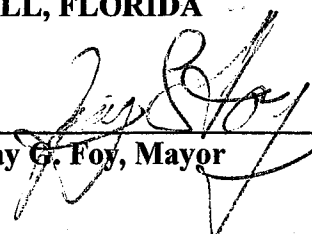
PASSED AND ADOPTED this **26th day of July, 2012**. Council Member Lawrence Gordon offered the foregoing Resolution, and moved its adoption. The Motion was seconded by Vice-Mayor Woods and upon being put to a vote, the vote was as follows:

JAY G. FOY, MAYOR	AYE _____	NAY <u> X </u>
JAMES E. WOODS, VICE MAYOR	AYE <u> X </u>	NAY _____
JERRY BEAVERS, COUNCIL MEMBER	AYE <u> X </u>	NAY _____
MARK C. UPTEGRAPH, COUNCIL MEMBER	AYE <u> X </u>	NAY _____
LAWRENCE GORDON, COUNCIL MEMBER	AYE <u> X </u>	NAY _____

The Mayor thereupon declared this Resolution approved and duly adopted by the Town Council of the Town of Haverhill, Florida this **12th day of July, 2012**.

ATTEST: TOWN OF HAVERHILL, FLORIDA


 Janice C. Rutan, Town Administrator


 Jay G. Foy, Mayor