

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

Meeting Date: July 16, 2013 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: **Facilities Development & Operations**

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a First Amendment to Interlocal Agreement (R2008-1301) with the City of Greenacres (City) to extend the term of the Agreement for direct access to the County’s 800 MHz Radio System to July 21, 2017.

Summary: The Interlocal Agreement with the City, which provides the terms and conditions under which the City can directly access the County’s 800 MHz Radio System, expires on July 21, 2013. The Agreement provides for two (2) renewal options, each for a period of four (4) years. Both parties must approve the renewal option. The City has approved a renewal to extend the term of the Agreement to July 21, 2017. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The annual fees are consistent with those being charged to the County departments. The City is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause, on October 1st of any year, with a minimum of 6 months notice. The First Amendment renews the term, replaces Attachment I and deletes outdated attachments, updates contact information, provides for disclosure of County Ordinance No. 2011-009 establishing the Office of the Inspector General and provides for the exclusion of third party beneficiaries. Other than the changes set forth herein, all other terms remain the same. **(ESS) Countywide (JM)**

Background and Justification: On July 22, 2008, the Board approved the Interlocal Agreement for direct access for a period of five (5) years expiring on July 21, 2013. The City of Greenacres does not have a city regional radio hub which can accommodate the City’s needs and, therefore the City meets one of the established criteria for direct access to the County’s 800 MHz Radio System. After approval of this First Amendment, one (1) renewal option will remain.

Attachment:

First Amendment

Recommended By: *Amy Wing* 6/7/13
 Department Director **Date**
Approved By: *[Signature]* 6/20/13
 Ass. County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>(\$11,876.)</u>	<u>(47,505)</u>	<u>(47,505)</u>	<u>(47,505)</u>	<u>(35,629)</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$11,876.)</u>	<u>(47,505)</u>	<u>(47,505)</u>	<u>(47,505)</u>	<u>(35,629)</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes No

Budget Account No:	Fund	0001	Dept	410	Unit	4150	Object	4901	\$20,047.11
	Fund	3801	Dept	411	Unit	B209	Object	3728	\$ 27,457.89

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

Annual operating/maintenance revenues will be used to offset the operating budget expenses for the 800 MHz Radio System. The annual renewal/replacement fees will be placed in the renewal/replacement account to be used for renewal/replacement of the System infrastructure.

C. Departmental Fiscal Review:

[Signature] 6-10-13

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 6/20/13
OFMB

[Signature] 6/21/13
Contract Development and Control

B. Legal Sufficiency:

[Signature] 6/24/2013
Assistant County Attorney

C. Other Department Review:

Department Director

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

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT
CITY OF GREENACRES DIRECT ACCESS**

THIS FIRST AMENDMENT to Agreement R2008-1301, dated July 22, 2008, (the "Agreement") is made as of _____, by and between Palm Beach County, a political subdivision of the State of Florida, ("County") and the City of Greenacres, a municipal corporation ("City").

In consideration of the mutual promises contained herein, the County and City agree as follows:

1. The term of the Agreement expires on July 21, 2013, and shall be extended to July 21, 2017, pursuant to the exercise of the first of two (4) year renewal options.
2. Attachment I to the Agreement is hereby deleted in its entirety and is hereby replaced by Attachment I attached hereto and made a part hereof.
3. Attachment II and Attachment III to the Agreement are hereby deleted in their entirety.
4. All references in the Agreement to the 800 MHz Trunked Radio System shall be deleted and replaced with the Public Safety Trunked Radio System ("System").
5. Section 2.01 of the Agreement is deleted in its entirety and replaced with the following:

2.01 The Palm Beach County Electronic Services & Security Division's System Administrator will be the City's day to day contact and can be reached at 561-233-0837. The Electronic Services & Security Division is staffed from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding County holidays. After hours emergency contact will be made through the County's Emergency Operations Dispatch Center at 561-712-6428 and the appropriate on-call contact will be made.

6. Section 2.02 of the Agreement is modified by deleting the first sentence and replacing it with the following:

The System Maintenance and Administration Plan dated June 6, 2002, as referenced on Attachment I hereto, identifies the general procedures for the management of the system and procedures for input through the user committees into operating procedure development.

7. Section 2.021 of the Agreement is modified by deleting the first sentence and replacing it with the following:

2.021 The CRSSC is supported by User Committees in each discipline utilizing the System.

8. Section 4.07 of the Agreement is modified by deleting the last sentence and replacing it with the following:

The County's talk group and radio ID allocations are on file with the County and available upon request.

9. The Agreement is hereby modified to add the following:

SECTION 21: PALM BEACH COUNTY OFFICE OF THE INSPECTOR GENERAL AUDIT REQUIREMENTS

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General is authorized with the power to review past, present and proposed County contracts, transactions, accounts and records. The Inspector General's authority includes, but is not limited to, the power to audit, investigate, monitor, and inspect the activities of entities contracting with the County, or anyone acting on their behalf, in order to ensure compliance with contract requirements and to detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be a violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

10. The Agreement is hereby modified to add the following:

SECTION 22: NO THIRD PARTY BENEFICIARY

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including, but not limited to, any citizen or employees of the County and/or City.

11. Except as modified by this First Amendment, the Agreement remains in full force and effect in accordance with the terms thereof, and the parties hereby ratify, confirm and adopt the Agreement, as amended.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed on the day and year first above written.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

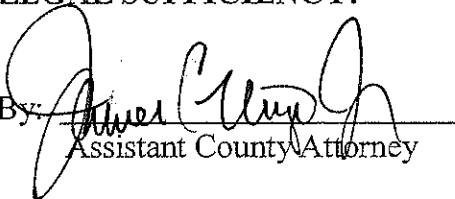
PALM BEACH COUNTY, a political
subdivision of the State of Florida

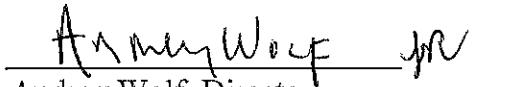
By: _____
Deputy Clerk

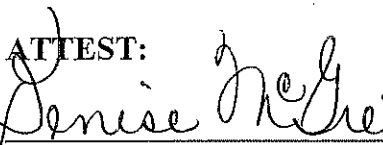
By: _____
Steven L. Abrams, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED AS TO TERMS AND
CONDITIONS:

By: 
Assistant County Attorney

By: 
Audrey Wolf, Director
Facilities Development & Operations


ATTEST:

Denise McGrew, City Clerk



CITY OF GREENACRES

By: 
Samuel J. Ferreri, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: 
Pamela S. Terranova, City Attorney

Attachment I

PALM BEACH COUNTY
PUBLIC SAFETY RADIO SYSTEM
POLICIES AND PROCEDURES

June 2002

<u>Policy./ Procedure Title</u>	<u>Last Revision Date</u>
1. Countywide Use of 800 MHz System (O.P. # I-01)	Oct. 1, 2001
2. Countywide Use of 800 MHz System Talk Groups (O.P. # I-04)	Oct. 1, 2001
3. Monitoring and Evaluation of Public Safety Radio System Talk Groups (O.P. # I-05)	Oct. 1, 2001
4. Emergency Medical Communications (O.P. # I-06)	Oct. 1, 2001
5. Reporting of Problems and Modifications of the Public Safety Radio System (O.P. # I-07)	Oct. 1, 2001
6. Countywide Use of Public Safety Radio System During Times of Catastrophic Failure which result in non-trunking "conventional" operation (O.P. # I-10)	Oct. 1, 2001
7. Network Maintenance and Administration Plan	June 6, 2002