Agenda Item #: 3H-5

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	May 16, 2017	[X] Consent [] Ordinance	[] Regular [] Public Hearing	

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Third Amendment to Interlocal Agreement (R2002-0548) with Health Care District of Palm Beach County, a political subdivision of the State of Florida ("District") to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System retroactively to April 15, 2022.

Summary: The Agreement, which provides the terms and conditions under which District can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on April 15, 2017. The Agreement provides for three (3) renewal options, each for a period of five (5) years. District has approved a renewal to extend the term of the Agreement retroactively to April 15, 2022, and 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 with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. District is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with ten (10) days notice. This Third Amendment renews the term and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. **(ESS) Countywide (LDC)**

Background and Justification: The Agreement with District, which provides the terms and conditions under which District can utilize the countywide and common talk groups of the County 800 MHz Radio System expired on April 15, 2017. The Agreement provided for three (3) renewal options, each for a period of five (5) years. After approval of this Third Amendment, there are no remaining renewal options.

Attachments:

Third Amendment

Recommended By:	An My Worf Department Director	5/1/17 Date	
Approved By:	County Administrator	5/9/17 Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures Operating Costs External Revenues					
In-Kind Match (County					
NET FISCAL IMPACT	*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current Budg	et: Yes		No		
Budget Account No: Fund	Dept Program	t	Unit	Object	

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

* There is no fiscal impact with this item.

128/17 **C**. **Departmental Fiscal Review:** III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFI B

ntract Develo pment and Contro

В. Legal Sufficiency: Assistant County/Attorney

C. Other Department Review:

Department Director

THIRD AMENDMENT TO AGREEMENT

THIS THIRD AMENDMENT to Agreement R2002-0548 dated April 16, 2002, as amended by R2006-2428 and R2012-0494 (collectively referred to herein as the "Agreement"), is made as of _______, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners ("County") and Health Care District of Palm Beach County, a political subdivision of the State of Florida, ("District").

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

- 1. The term of the Agreement expired on April 15, 2017, and shall be retroactively extended to April 15, 2022 pursuant to the exercise of the third five (5) year renewal option.
- 2. The Agreement is hereby modified to add the following:

SECTION 19: 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 District.

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

SECTION 20: NONDISCRIMINATION

Pursuant to Resolution R-2014-1421, as amended, it is the policy of the Board of County Commissioners of Palm Beach County that Palm Beach County shall not conduct business with nor appropriate any funds to any organization that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, marital status, sexual orientation, gender identity and expression, disability, or genetic information.

The District has submitted to County a copy of its non-discrimination policy which is consistent with the above paragraph, as contained in Resolution R-2014-1421, as amended, or in the alternative, if the District does not have a written non-discrimination policy, or one that conforms to the County's policy, it has affirmed through a signed statement provided to County that District will conform to the County's non-discrimination policy as provided in R-2014-1421, as amended.

4. Except as modified by this Third Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof.

Page 1 of 2

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

By:

ATTEST:

SHARON R. BOCK **CLERK & COMPTROLLER**

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

By:

Deputy Clerk

APPROVED AS TO FORM AND LEGAL **SUFFICIENCY:**

By: ounty Attorney

ATTEST:

xnc Signature

Anderson len Witness Printed Name

Paulette Burdick, Mayor

APPROVED AS TO TERMS AND **CONDITIONS:**

By:

By: <u>HAMM WIF</u> Audrey Wolf, Director Facilities Development & Operations

HEALTH CARE DISTRICT OF PALM BEACH COUNTY, a political subdivision of the State of Florida

By: (

Darcu 2. Print Name and Title

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Page 2 of 2