

349

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 15, 2018 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 (R2013-0611) with the City of Riviera a municipal corporation (“City”) to extend the term of the Agreement allowing for direct access to the County’s Public Safety Radio System (“System”) to May 19, 2022.

Summary: The Agreement, which provides the terms and conditions under which the City can directly access the System, expires on May 20, 2018. The Agreement provides for two (2) renewal options, each for a period of four (4) years. The City has approved a renewal to extend the term of the Agreement to May 19, 2022 and the renewal now requires the Board approval. The terms of this 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 City’s Police Department has been interoperable with the County’s System, initially through a Temporary Agreement, and beginning in 2013 via a Direct Connect Agreement. The annual fees are consistent with those being charged to the County Departments. In addition, the City is required to pay all costs associated with City’s 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 six months’ notice. The First Amendment renews the term, modifies the attachment and the revisions on indemnification and liability, and adds standard County nondiscrimination provisions. **(ESS) Countywide (LDC)**

Background and Justification: The Agreement, which provides the terms and conditions under which the City can directly access the County’s 800 MHz Radio System, expires on May 20, 2018. The Agreement provided for two (2) renewal options, each for a period of four (4) years. After approval of this First Amendment, there will be one remaining renewal option.

Attachments:

First Amendment to Interlocal Agreement

Recommended By: MB Anthony Wolf 4/25/18
 Department Director Date

Approved By: R Baker 5/4/18
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$85,296.90)	(\$99,762.00)	(\$99,762.00)	(\$99,762.00)	(\$99,762.00)
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$85,296.90)</u>	<u>(\$99,762.00)</u>	<u>(\$99,762.00)</u>	<u>(\$99,762.00)</u>	<u>(\$99,762.00)</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes No _____
 Does this item include the use of federal funds? Yes _____ No

Budget Account

No:

Fund 0001 Dept 410 Unit 4150 Revenue Source 4901 (\$44,070.00)
 Fund 3801 Dept 411 Unit B209 Revenue Source 3788 (\$41,226.90)

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

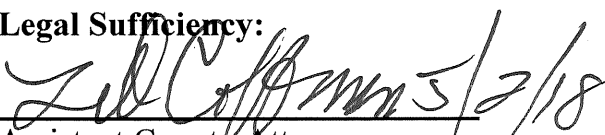
C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 OFMB 4/26 4/25
 Contract Development and Control 5/1/18

B. Legal Sufficiency:

 5/2/18
 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**

THIS FIRST AMENDMENT to Interlocal Agreement R2013-0611, (“Agreement”), is made and entered into on _____, by and between Palm Beach County, a political subdivision of the State of Florida (“County”), and the City of Riviera Beach, a municipal corporation of the State of Florida (“City”).

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

1. The term of the Agreement expires on May 20, 2018 and shall be extended through May 19, 2022 pursuant to the exercise of the first of two (2) four (4) year renewal options.
2. Paragraph one of section 10 of the Agreement is deleted in its entirety and replaced with the following:

The County makes no representations about the design or capabilities of the County’s System. The City has decided to enter into this Agreement and use the County’s System based on its review of the System design, System coverage, manufacturing and installation details contained in the County’s contract with Motorola R2015-1673, dated 11/17/15 and review of any subsequent field measurements and testing data as may exist. The County agrees to use its best efforts to provide the City with the use of the System described in the Agreement, but makes no guarantee as to the continual, uninterrupted use of the System, or its fitness for the communication needs of the City.

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

SECTION 23: NONDISCRIMINATION

The City warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information.

4. Attachment 1 to the Agreement is hereby deleted in its entirety and is hereby replaced by Attachment 1 attached hereto and made a part hereof.
5. Except as modified by this First Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof and is hereby ratified and confirmed by the City and the County.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

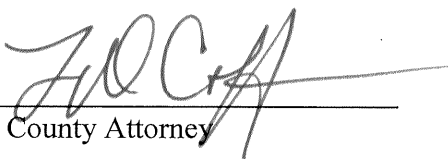
PALM BEACH COUNTY, a political
subdivision of the State of Florida

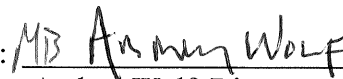
By: _____
Deputy Clerk

By: _____
Melissa McKinlay, Mayor

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

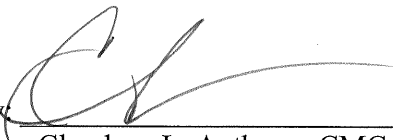
**APPROVED AS TO TERMS AND
CONDITIONS:**

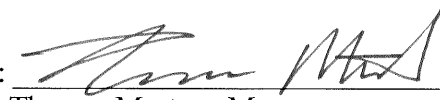
By: 
County Attorney

By: 
Audrey Wolf, Director
Facilities Development & Operations

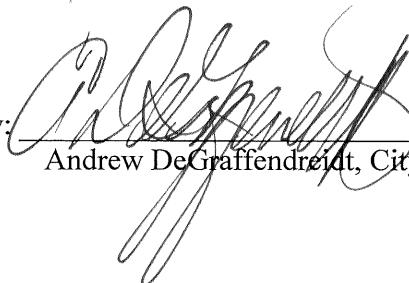
ATTEST:

CITY OF RIVIERA BEACH, a municipal
corporation of the State of Florida

By: 
Claudene L. Anthony, CMC, City Clerk

By: 
Thomas Masters, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 
Andrew DeGraffendrecht, City Attorney

Attachment I

PALM BEACH COUNTY PUBLIC SAFETY RADIO SYSTEM POLICIES AND PROCEDURES

Policy / Procedure Title

1. Countywide Use of 800 MHz System (O.P. # I-01)
2. Countywide Use of 800 MHz System Talk Groups (O.P. # I-04)
3. Monitoring and Evaluation of Public Safety Radio System Talk Groups (O.P. # I-05)
4. Emergency Medical Communications (O.P. # I-06)
5. Reporting of Problems and Modifications of the Public Safety Radio System (O.P. # I-07)
6. Countywide Use of Public Safety Radio System During Times of Catastrophic Failure which result in non-trunking “conventional” operation (O.P. # I-10)
7. Network Maintenance and Administration Plan