

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	June 5, 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department:	Fire-Rescue		

I. EXECUTIVE BRIEF

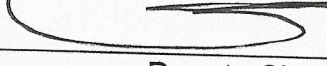
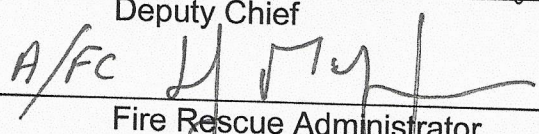
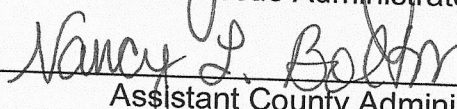
Motion and Title: Staff recommends motion to adopt: a resolution authorizing the conveyance and transfer of title of a reserve fleet utility vehicle (Asset 10142561) to Fraternal Order of Police, Florida State Lodge, District Four, Inc., pursuant to Section 125.38, Florida Statutes, contingent upon receipt of \$10.00 consideration and a duly executed Acceptance of Fire Rescue Vehicle(s) and/or Equipment form; providing for an effective date.

Summary: The Fraternal Order of Police, Florida State Lodge, District Four, Inc. (FOP) has a Disaster Relief Component to aid first responders after catastrophic or emergency events, such as bringing food and water to first responders during disaster recovery. The FOP has requested the County convey and transfer a vehicle to the FOP for use in aiding first responders for such disaster relief. The County has available a reserve fleet utility vehicle that is not needed for County purposes and has de minimis or no useful value to the Fire-Rescue Municipal Service Taxing Unit. The FOP would refurbish the truck to meet its needs to respond to catastrophic or emergency events. The FOP will assist Palm Beach County in recovery efforts at no cost to the County. Countywide (SB)

Background and Justification: The FOP was founded in 1915, and is the nation's largest police organization. The Florida State Lodge provides specific services for the state, its members and their communities. District Four encompasses Palm Beach, Martin, St. Lucie, Indian River and Okeechobee counties. The FOP has a Disaster Relief Component to aid first responders after catastrophic emergency events.

Attachments:

1. Resolution, with Acceptance of Fire Rescue Vehicle(s) and/or Equipment Form
2. Request to Transfer Asset to Fixed Assets Management Office
3. Request Letter from Fraternal Order of Police

Recommended by:	 DANIEL MUSTONE	
	Deputy Chief	Date
Approved by:	 A/FC	5-8-18
	Fire Rescue Administrator	Date
Approved by:	 Nancy L. Bolton	5/17/18
	Assistant County Administrator	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	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* 0</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	_____	_____	_____	_____

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

Budget Account No.: Fund _____ Dept _____ Unit _____
Revenue Source _____/Object _____

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

* The estimated value of this asset is approximately \$10,000.

C. Departmental Fiscal Review:

in-kind match

III. REVIEW COMMENTS

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

[Signature] *Slush*
OFMB (R) 5/10 *6/15/18*

[Signature] *5/15/18*
Contract Development and Control
5/15/18

B. Legal Sufficiency

[Signature] *5/15/18*
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/03
ADM FORM 01

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

RESOLUTION NO. 2018-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE AND TRANSFER OF TITLE OF A CERTAIN VEHICLE TO FRATERNAL ORDER OF POLICE, FLORIDA STATE LODGE, DISTRICT FOUR, INC., PURSUANT TO SECTION 125.38, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fraternal Order of Police, Florida State Lodge, District Four, Inc. (hereinafter "FOP"), is a Florida not-for-profit corporation that has a Disaster Relief Component, which aids first responders after catastrophic or emergency events, such as providing food and water during recovery efforts; and

WHEREAS, FOP desires and requests that the County convey to it a certain 2003 utility vehicle owned by County (Asset 10142561) (VIN 1FDWF37P73EB99385) (hereinafter the "Vehicle") for the purpose of providing aid to on-duty first responders after catastrophic or emergency events; and

WHEREAS, the FOP will provide such assistance to the County in recovery efforts at no cost to the County; and

WHEREAS, the Board of County Commissioners of Palm Beach County (hereinafter the "Board") is satisfied that the Vehicle is required for said use and is not needed for County purposes; and

WHEREAS, the Board is further satisfied that the Vehicle has de minimis or no useful value to the Fire-Rescue Municipal Service Taxing Unit (hereinafter the "Fire-Rescue MSTU"); and that FOP's intended use of the Vehicle will benefit the public interest within the Fire-Rescue MSTU.

NOW, THEREFORE, BE IT RESOLVED THAT:

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

Section 2. The Board hereby conveys the Vehicle to FOP, and authorizes the transfer of title thereof, pursuant to Section 125.38, Florida Statutes, upon the receipt of \$10.00 consideration from FOP and the attached Acceptance of Fire-Rescue Vehicle form duly executed by FOP.

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

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:

- COMMISSIONER MELISSA MCKINLAY, MAYOR -
- COMMISSIONER MACK BERNARD, VICE MAYOR -
- COMMISSIONER HAL R. VALECHE -
- COMMISSIONER PAULETTE BURDICK -
- COMMISSIONER DAVE KERNER -
- COMMISSIONER STEVEN L. ABRAMS -
- COMMISSIONER MARY LOU BERGER -

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2018.

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 Fraternal Order of Police, Florida State Lodge, District Four, Inc. (hereinafter referred to as "FOP") does hereby receive and accept from Palm Beach County, Florida, a political subdivision of the State of Florida (hereinafter referred to as "County") title, ownership and possession of the following fire rescue vehicle(s) and/or equipment.

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

Type of Vehicle(s) and/or Equipment:	Utility Body Truck
Make:	Ford
Model:	F350
Year:	2003
Vehicle Identification Number (VIN):	1FDWF37P73EB99385
Engine Type and #:	Diesel
Equipment included on Vehicle:	
Odometer Reading:	168,792

FOP acknowledges that it has inspected the vehicle(s) and/or equipment identified above and that it has accepted each one "as is". FOP 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. FOP 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 THE FOP BY THE COUNTY, AND ACCEPTED BY THE FOP 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.

FOP 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 FOP's inspection of said vehicles and/or equipment and upon FOP's own knowledge and expertise in evaluating the condition of the said vehicles and/or equipment and FOP's intended use of said vehicles and/or equipment. FOP acknowledges and agrees that in accepting said vehicles and/or equipment, FOP 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 FOP acknowledges and agrees that it has not, and shall not, rely on any such advice, information or representation.

FOP 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. FOP 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. FOP acknowledges that the County has warned FOP, and FOP specifically understands, that the vehicle(s) and/or equipment identified above may not be suitable or safe for FOP's intended use and operation until inspected, repaired and refurbished by FOP, and FOP agrees to do so prior to allowing the use and/or operation of said vehicle(s) and/or equipment. FOP 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, FOP shall indemnify, defend and hold harmless the County, including its employees, officers, and agents, against any actions, claims or damages arising out of FOP's use, possession, operation, maintenance or ownership of any vehicle(s) and/or equipment transferred to, and accepted by, FOP. The foregoing shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes.

Fraternal Order of Police, Florida State Lodge, District Four, Inc.

BY: David Bernhardt, Vice President

Date

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



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

DEPARTMENT/DIVISION NAME FIRE RESCUE	CUSTODIAN CODE 6120	DATE 05/08/18
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ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
10142561	2003 Ford F350 Utility Truck VIN: 1FDWF37P73EB99385	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 _____ (Specify)

COMMENTS (Provide details on Reason Code #4, Transfers, Trade-ins, Bond or Grant Funded Asset Information (attach documentation as necessary) Scrapping and Thefts required here)

This asset will be transferred to the Fraternal Order of Police by Board action on June 5, 2018, pursuant to Section 125.38, Florida Statutes.

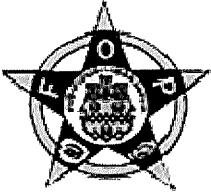
REQUESTED BY - ORIGINATING DEPARTMENT		APPROVAL - FIXED ASSETS MANAGEMENT OFFICE	
ORIGINATOR <u>[Signature]</u>	DATE <u>5-8-18</u>	INVENTORY OFFICER <u>[Signature]</u> Rob Colan	DATE <u>5-9-18</u>
INVENTORY OFFICER <u>[Signature]</u>	DATE <u>5-8-18</u>		
CUSTODIAN <u>[Signature]</u>	DATE <u>5-5-18</u>	WAREHOUSE _____	DATE _____

DISTRIBUTION: ORIGINAL WITH SIGNATURES - FAMO

PHOTOCOPY - Originating Department

Rev 2/1/2013

Attachment 2



Fraternal Order of Police

FLORIDA STATE LODGE



Chief Collins
Palm Beach County Fire Rescue

Chief Collins, please let me introduce myself. I am David Bernhardt 2nd Vice-President of the Florida State Lodge of Fraternal Order of Police which represents 25, 000 members and Vice Chairman of District 4. The district encompasses Palm Beach, Martin, St Luice, Indian River and Okeechobee counties. The FOP has several missions from representing its members, and partnerships with Easter Seals and Special Olympics. The FOP also has a Disaster Relief Component to aid first responders after catastrophic or emergency events. As first responders are working around the clock before and after major events, the FOP directs its efforts in two ways. Resources to feed on duty responders and check on the homes of first responders, as they cannot leave their assignments. This action alleviates much of the stress endured by first responders. District 4 does not have the resources to purchase a heavy vehicle, which could assist greatly in achieving our disaster relief goals. With this in mind, the FOP would benefit from a donation of an out of service EMS/Rescue vehicle.

The FOP would refurbish the truck to meets its needs to respond to catastrophic or emergency events. The FOP would work with Palm Beach County in recovery efforts at no cost to the county. If first responder's essentials were being met, the FOP would assist with any other recovery efforts. As an example Solid Waste, and Palm Beach County Utilities might need to feed its employees, and the FOP could assist in this effort. If it is a local event, with the district having disaster resources it would easier to draw assistance from other districts or state lodges for assistance, i.e. the FOP responded to the Keys and Naples after Hurricane Irma with food and water for first responders. For that one event the National, State and District FOP cost were over \$30,000, which they incurred.

In conclusion The FOP would be another arm of disaster recovery the county could utilize to aid its first responders, hence a benefit to the citizens of Palm Beach County. Partnerships are a key to good government and in times of despair the more boots on the ground the better. The initial cost of donation will be miniscule compared to the return the county would receive over the next several years.

Sincerely,

Mike Kelly Chairman
District 4
Fraternal Order of Police

David Bernhardt
Florida State Lodge 2nd Vice-President
Fraternal of Police