

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	December 18, 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

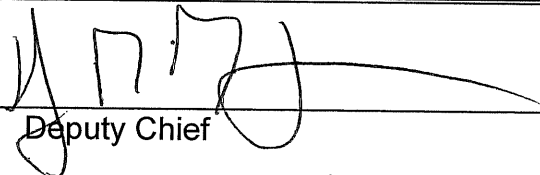
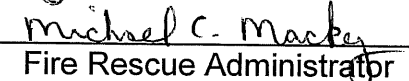

Motion and Title: **Staff recommends motion to approve:** a Resolution, pursuant to Section 125.38, Florida Statutes, conveying and transferring 150 fire-rescue self contained breathing apparatus (SCBA) masks to the Palm Beach County Fire Rescue Cadet Battalion, Inc., a Florida not for profit corporation, contingent upon receipt of \$10.00 consideration, which is the nominal price established by the Board pursuant to Section 125.38, and a duly executed Acceptance of Fire Rescue Vehicle(s) and/or Equipment form; providing for an effective date.

SUMMARY: The Palm Beach County Fire Rescue Cadet Battalion, Inc. (CB), has requested the County convey and transfer one hundred fifty (150) SCBA masks for use by the cadets in the basic firefighter skills training provided by the CB. The equipment requested by the CB has minimal useful value to the Fire/Rescue MSTU and would provide a valuable air source to CB members as part of their firefighter skills training. This equipment is currently part of Fire Rescue's reserve inventory and would otherwise be scheduled for transfer to surplus. The total estimated value of this equipment is \$15,000. Countywide (SB)

Background and Justification: The CB is a Florida not for profit corporation that provides a young adult career education program in the field of fire rescue, including training in basic fire rescue skills. The SCBAs requested by the CB will enhance their ability to maintain a valuable source to its members for training in firefighter skills.

Attachments:

1. Resolution, with Acceptance of Fire-Rescue Vehicles(s) and/or Equipment form
2. Request Letter from Palm Beach County Fire Rescue Cadet Battalion, Inc.
3. Request to Transfer Asset to Fixed Assets Management Office form

Recommended by:		12-7-18
	Deputy Chief	Date
Approved by:		12-7-18
	Fire Rescue Administrator	Date
Approved by:		12/7/18
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____*	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

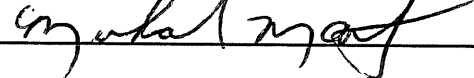
Is Item Included in Proposed Budget? Yes ____ No ____

Does this item include the use of federal funds Yes ____ No ____

Budget Account No.: Fund ____ Dept ____ Unit ____ Object/Rev Source ____


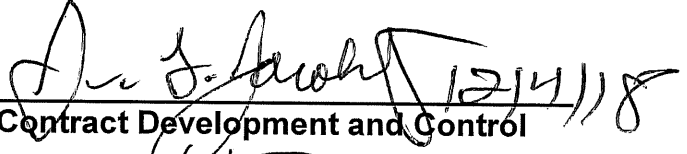
B. Recommended Sources of Funds/Summary of Fiscal Impact:

* The current estimated value of this fire rescue equipment is approximately \$15,000.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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

 11/29/18
OFMB
9/11/28
11/28
 12/4/18
Contract Development and Control
12/3/18 TW

B. Legal Sufficiency

 12/5/18
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, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, CONVEYING AND TRANSFERRING 150 FIRE-RESCUE SELF CONTAINED BREATHING APPRATUS (SCBA) MASKS TO THE PALM BEACH COUNTY FIRE RESCUE CADET BATTALION, INC., A FLORIDA NOT FOR PROFIT CORPORATION, CONTINGENT UPON RECEIPT OF \$10.00 CONSIDERATION, WHICH IS THE NOMINAL PRICE ESTABLISHED BY THE BOARD PURSUANT TO SECTION 125.38, AND A DULY EXECUTED ACCEPTANCE OF FIRE-RESCUE VEHICLE(S) AND/OR EQUIPMENT FORM; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Fire Rescue Cadet Battalion, Inc. (hereinafter the "CB") is a 501(C)(3) Florida not for profit corporation that provides a young-adult career education program in the field of fire-rescue, including training in basic fire-rescue skills; and

WHEREAS, the CB desires and has requested that the County convey to the CB 150 Scott self contained breathing apparatus (SCBA) masks to be used for the basic firefighter skills training provided by the CB to its cadets in introducing them to a fire-rescue career; and

WHEREAS, the Board of County Commissioners of Palm Beach County (hereinafter the "Board") is satisfied that the equipment requested is not needed for County purposes, has minimal useful value to the Fire/Rescue MSTU, and is required by the CB for the above stated intended use, which will enhance public services and benefit the public interest and welfare within the Fire/Rescue MSTU.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

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

Section 2. Pursuant to Section 125.38, Florida Statutes, the Board hereby conveys and transfers to the CB the below described fire rescue equipment, contingent upon receipt of Ten Dollars (\$10.00) consideration, which is the nominal price established by the Board pursuant to Section 125.38, from the CB and receipt of the attached Acceptance of Fire-Rescue Vehicle(s) and/or Equipment form duly executed by the CB upon its acceptance of the equipment:

One hundred fifty (150) Scott self contained breathing apparatus (SCBA) masks

Upon receipt of the Ten Dollars (\$10.00) consideration and the duly executed acceptance form, the above equipment shall be delivered to the CB at Palm Beach County Fire Rescue, Support Services, 2601 Vista Parkway, West Palm Beach, Florida 33411.

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 | Mack Bernard, Mayor | - |
| Commissioner | Dave Kerner, Vice Mayor | - |
| Commissioner | Hal R. Valeche | - |
| Commissioner | Gregg K. Weiss | - |
| Commissioner | Robert S. Weinroth | - |
| Commissioner | Mary Lou Berger | - |
| Commissioner | Melissa McKinlay | - |

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: Sharon Bunn
County Attorney

Acceptance of Fire-Rescue Vehicle(s) and/or Equipment

The Palm Beach County Fire Rescue Cadet Battalion, Inc. (hereinafter "CB") does hereby receive and accept from Palm Beach County, Florida, a political subdivision of the State of Florida (hereinafter "County") title, ownership and possession of the following fire-rescue vehicle(s) and/or equipment.

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

One hundred fifty (150) Scott self contained breathing apparatus (SCBA) masks.

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

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

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

Palm Beach County Fire Rescue Cadet Battalion, Inc.

BY: _____
Laura Chau, Director Date

The foregoing instrument was acknowledged, subscribed and sworn to before me this ____ day of _____, 2018, by

_____, who is personally known to me or who has produced _____ as identification, and who did take an oath.

Notary Signature _____

Print Notary Name _____

[SEAL] Notary Public, State of Florida

My Commission Expires:

Attachment 2



November 5, 2018

To Whom it May Concern:

On behalf of the Palm Beach County Fire Rescue Cadet Battalion, Inc., I would like to request that 150 Scott SCBA masks be donated for use in training of the cadets. These masks will assist our organization with continuing our goal of familiarizing our cadets in the fundamental tools to becoming firefighters. Donations such as these are crucial to our success.

Should you have any questions or need additional information please do not hesitate to contact me at 561-762-9886.

Sincerely,

A handwritten signature in cursive script that reads "Laura Chau".

Laura Chau
Executive Advisor

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 11/15/18
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ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
N/A	Scott SCBA masks Quantity = 150	4	2					

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)
 These assets will be transferred to the Palm Beach County Fire Rescue Cadet Battalion, Inc. by Board action on December 18, 2018, pursuant to Section 125.38, Florida Statutes.

REQUESTED BY - ORIGINATING DEPARTMENT		APPROVAL - FIXED ASSETS MANAGEMENT OFFICE	
ORIGINATOR <u>FRANK LITTEKEN</u>	DATE <u>12-03-18</u>	INVENTORY OFFICER <u>[Signature]</u>	DATE <u>11/26/18</u>
INVENTORY OFFICER <u>[Signature]</u>	DATE <u>11/27/18</u>	WAREHOUSE _____	DATE _____
CUSTODIAN <u>[Signature]</u>	DATE <u>11/27/18</u>		

Attachment 3