

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 5, 2020 [] Consent [X] Regular
[] Workshop [] Public Hearing

Department: Fire-Rescue

I. EXECUTIVE BRIEF

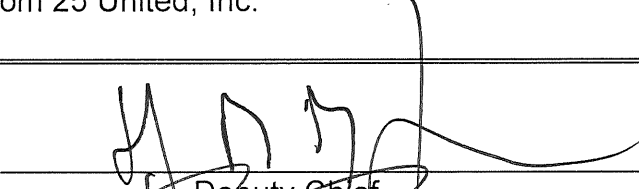
Motion and Title: Staff recommends motion to adopt: a resolution authorizing the conveyance and transfer of title of an engine vehicle (Asset 10155572) and a rescue vehicle (Asset 10156662) to 25 United, Inc., a Florida not for profit corporation, pursuant to Section 125.38, Florida Statutes, contingent 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 Bahamas was struck by the devastating power of Hurricane Dorian over Labor Day weekend 2019. 25 United, Inc. is a Florida not for profit corporation committed to providing immediate relief to areas impacted by disasters, including Hurricane Dorian relief efforts in the Bahamas. Local fire departments in the Bahamas were completely destroyed and must rebuild their physical departments and workforces. To that end, the fire departments in the Bahamas are in great need of donations of vehicles and equipment as it will aide in the purposes of training volunteer firefighters. Supporting Hurricane Dorian relief efforts in the Bahamas has been determined to be in the public interest of Palm Beach County. The donation of supplies and equipment to the most impacted areas of the Bahamas mitigates future service delivery and financial impacts to Palm Beach County including the Fire/Rescue MSTU. The assets being transferred are from Fire Rescue's reserve fleet, are not needed for County purposes, and have a de minimis useful value to the Fire/Rescue MSTU. The total estimated value of these assets is \$22,500. Countywide (SB)

Background and Justification: 25 United, Inc. is dedicated to providing world-wide relief to areas impacted by disaster, be it natural or man-made. 25 United aids in establishing a relief infrastructure unique to each region of deployments and facilitates immediate disaster relief efforts. 25 United unites volunteers and professionals from all walks of life who are passionate, hardworking, and devoted to rebuilding communities, replenishing supplies, and restoring a way of life in the aftermath of disasters. The goal is to unite a team of 25 volunteers with experience in the fields of emergency medical response, public safety, and construction. The mission is to restore a way of life back into communities and help them achieve self-sustainability.

Attachments:

1. Resolution, with Acceptance of Fire Rescue Vehicle(s) and Equipment Form
2. Request to Transfer Asset to Fixed Assets Management Office
3. Request Letter from 25 United, Inc.

Recommended by:  4-29-20
Deputy Chief Date

Approved by:  4/29/2020
Fire Rescue Administrator Date

Approved by:  5/2/2020
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:


Fiscal Years	2020	2021	2022	2023	2024
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:

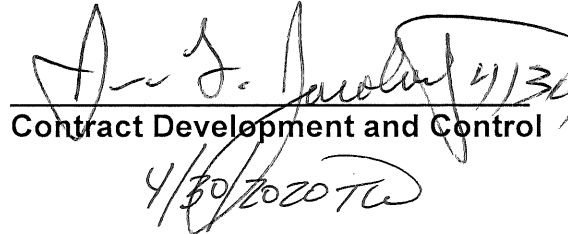
* The estimated value of these assets and equipment is approximately \$22,500

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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

 4/30/2020
 OFMB 4/29

 4/30/2020
 Contract Development and Control
 4/30/2020 TC

B. Legal Sufficiency

Sean-Adel Williams
 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. 2020-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE AND TRANSFER OF TITLE OF AN ENGINE VEHICLE (ASSET 10155572) AND A RESCUE VEHICLE (ASSET 10156662) TO 25 UNITED, INC., A FLORIDA NOT FOR PROFIT CORPORATION, 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.

WHEREAS, when the Bahamas was struck by the devastating power of Hurricane Dorian over Labor Day weekend 2019, local fire departments in the Bahamas were completely destroyed and must rebuild their physical departments and workforces; and

WHEREAS, the fire departments in the Bahamas are in great need of vehicles and equipment as it will aide in the purposes of training volunteer firefighters; and

WHEREAS, 25 United, Inc. ("25 United") is a Florida not for profit corporation, which aids in providing relief to areas impacted by disasters, including Hurricane Dorian relief efforts in the Bahamas; and

WHEREAS, 25 United desires and requests that the County convey to it a 2004 fire engine vehicle (Asset 10155572) (VIN 1FVABXBS54DM90251) and a 2004 rescue vehicle (Asset 10156662) (VIN 1FVABPCS24DM93767 (all hereinafter collectively referred to as "Vehicles and Equipment") for the purpose of providing aid and relief efforts to the Bahamas for the purposes of training volunteer fire fighters; and

WHEREAS, the Board of County Commissioners of Palm Beach County (hereinafter the "Board") is satisfied that the Vehicles and Equipment are required for said use, are not needed for County purposes, and have de minimis useful value to the Fire/Rescue Municipal Service Taxing Unit (hereinafter the "Fire/Rescue MSTU"); and that 25 United will send the Vehicles and Equipment to the Bahamas for the intended relief and recovery efforts from Hurricane Dorian; and

WHEREAS, supporting Hurricane Dorian relief efforts in the Bahamas has been determined, and hereby is reaffirmed, to be in the public interest of Palm Beach County. Conditions in some of the Bahamian islands, including failed infrastructure, loss of housing, and difficulty accessing basic services, has directly impacted Palm Beach County through the migration of Bahamian refugees to Palm Beach County. In response to this and conditions

within the Islands, the Board of County Commissioners has expended considerable public funding in implementing a multi-location relief supply collection operation, sheltering Bahamas evacuees, and coordinating relief efforts with multiple agencies and organizations. The donation of supplies and equipment to the most impacted areas of the Bahamas mitigates future service delivery and financial impacts to Palm Beach County including the Fire/Rescue MSTU, and provides immediate humanitarian assistance to Bahamas residents.

NOW, THEREFORE, BE IT RESOLVED THAT:

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

Section 2. Pursuant to Section 125.38, Florida Statutes, the Vehicles and Equipment shall be conveyed to, and title thereof transferred to, 25 United, contingent upon the receipt of \$10.00 consideration, which is the nominal price established by the Board pursuant to Section 125.38, from 25 United and the attached Acceptance of Fire-Rescue Vehicle(s) and/or Equipment form duly executed by 25 United. The County Administrator or her designee shall take the steps needed to effectuate the conveyance, transfer of title, and delivery of the Vehicles and Equipment to 25 United. The Vehicles and Equipment shall be delivered to 25 United at Palm Beach County Fire Rescue, Support Services, 2601 Vista Parkway, West Palm Beach Florida.

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 DAVE KERNER, MAYOR -
- COMMISSIONER ROBERT S. WEINROTH, VICE MAYOR -
- COMMISSIONER HAL R. VALECHE -
- COMMISSIONER GREGG K. WEISS -
- COMMISSIONER MARY LOU BERGER -
- COMMISSIONER MELISSA MCKINLAY -
- COMMISSIONER MACK BERNARD -

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2020.

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: Jean-Adel Wilhains
County Attorney

APPROVED AS TO
TERMS AND CONDITIONS

By: [Signature]
Reginald K. Duren, Fire Rescue Administrator
Palm Beach County Fire Rescue

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

25 United, Inc., a Florida not for profit corporation, (hereinafter referred to as "25 United") 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:	<u>Engine</u>
Make:	<u>Ferrara</u>
Model:	<u>Pumper</u>
Year:	<u>2004</u>
Vehicle Identification Number (VIN):	<u>1FVABXBS54DM90251</u>
Engine Type and #:	<u>Diesel</u>
Equipment included on Vehicle:	<u>None</u>
Odometer Reading:	<u>135,172</u>

Type of Vehicle(s) and/or Equipment:	<u>Rescue</u>
Make:	<u>American LaFrance</u>
Model:	<u>Freightliner FL 60 chassis</u>
Year:	<u>2004</u>
Vehicle Identification Number (VIN):	<u>1FVABPCS24DM93767</u>
Engine Type and #:	<u>Diesel</u>
Equipment included on Vehicle:	<u>None</u>
Odometer Reading:	<u>229,433</u>

25 United acknowledges that it has inspected the vehicle(s) and/or equipment identified above and that it has accepted each one "as is". 25 United 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. 25 United 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 25 UNITED BY THE COUNTY, AND ACCEPTED BY 25 UNITED 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.

25 United 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 25 United's inspection of said vehicles and/or equipment and upon 25 United's own knowledge and expertise in evaluating the condition of the said vehicles and/or equipment and 25 United's intended use of said vehicles and/or equipment. 25 United acknowledges and agrees that in accepting said vehicles and/or equipment, 25 United 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 25 United acknowledges and agrees that it has not, and shall not, rely on any such advice, information or representation.

25 United 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. 25 United 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. 25 United acknowledges that the County has warned 25 United, and 25 United specifically understands, that the vehicle(s) and/or equipment identified above may not be suitable or safe for 25 United's intended use and operation until inspected, repaired and refurbished by 25 United, and 25 United agrees to do so prior to allowing the use and/or operation of said vehicle(s) and/or equipment. 25 United 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, 25 United shall indemnify, defend and hold harmless the County, including its employees, officers, and agents, against any actions, claims or damages arising out of 25 United's use, possession, operation, maintenance, ownership or transfer of any vehicle(s) and/or equipment transferred to, and accepted by, 25 United. The foregoing shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes.

25 United, Inc.

BY: Stephen G. Leighton, 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 6142	DATE 04/28/2020
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ASSET NUMBER	DESCRIPTION	REASON CODE	CONDITION CODE	FAMO UPDATE REFERENCE	Z # ASSIGNED	ASSIGNED TO		
						INV	STORE	SCRAP
10155572	2004 Ferrara Pumper VIN# 1FVABXBS54DM90251	4	3					
10156662	2004 American LaFrance Rescue VIN# 1FVABPCS24DM93767	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)
These vehicles will be transferred to 25 United, Inc., a Florida not for profit corporation, by Board Action on May 5, 2020, pursuant to Section 125.38 Florida Statutes.

REQUESTED BY - ORIGINATING DEPARTMENT	APPROVAL - FIXED ASSETS MANAGEMENT OFFICE
ORIGINATOR <u><i>Jim Reegen</i></u> DATE <u>4-28-2020</u>	INVENTORY OFFICER <u><i>Molon</i></u> DATE <u>4-29-2020</u>
INVENTORY OFFICER <u><i>[Signature]</i></u> DATE <u>4/28/2020</u>	
CUSTODIAN <u><i>[Signature]</i></u> DATE <u>4/29/2020</u>	WAREHOUSE _____ DATE _____

Attachment 2



November 1, 2019

The Honorable Melissa McKinlay
Commissioner, Palm Beach County
President-Elect, Florida Association of Counties
301 N. Olive Avenue, 12th Floor
West Palm Beach, Florida 33401

Re: Firefighter Bunker Gear & Equipment Donation

Dear Commissioner McKinlay,

On behalf of 25 United, please accept this letter as a formal request for immediate assistance. As you know, the Bahamas was struck by the devastating power of Hurricane Dorian over Labor Day Weekend earlier this year. Communities were completely demolished and recovery will be excruciating and long. We want to thank our sister communities in Florida for the outpouring of support and hope that you, in your leadership role with the Florida Association of Counties, will share our gratitude with all Florida counties.

25 United is committed to providing immediate relief to areas impacted by the disaster. We unite volunteers and professionals from all walks of life who are passionate, hard-working, and devoted to rebuilding communities, replenishing supplies, and restoring a way of life in the aftermath of this devastation.

Our request to Florida's counties today is dire. The islands of Abaco, specifically to Treasure Cay and North Abaco's, local fire departments were completely destroyed and we must rebuild not only the physical departments but also the workforce. To that end, we are seeking a donation of surplus firefighting bunker gear, equipment, and response vehicles to include, fire trucks and rescue ambulances for the purposes of training volunteer firefighters.

We are very grateful for your consideration of our request and your commitment to sharing this with all of Florida's 67 counties. The fire departments in the Bahamas we are hoping to help are all volunteers who are in great need of training and the equipment to conduct such. I look forward to hearing from you. Please find attached our 501c3 status with Sunbiz in the state of Florida, in addition to our EIN number with the Internal Revenue Service.

A handwritten signature in black ink, appearing to read 'S. Leighton', is written over a light grey rectangular background.

Stephen G. Leighton
Founder, 25 United, Inc.

25 United, Inc. | 33 SW Flagler Ave. Stuart, FL 34994 | EIN: 84-3496757
www.25United.org | twentyfiveunited@gmail.com