

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	September 15, 2020	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Termination Agreement (“Agreement”), effective September 30, 2020, with the Village of Tequesta (“Participant”) setting forth the conditions for an early termination of the Interlocal Agreement (R2019-1902) (“Direct Access Agreement”) providing direct access to the County’s 800 MHz Radio System.

Summary: On December 17, 2019, the Board approved an Interlocal Agreement (R2019-1902) with the Participant, providing the Participant with direct access to the County’s 800 MHz Radio System. The Participant recently voted to transition its radio services from the County to the Municipal Public Safety Communications Consortium (“MPSCC”) which transition will be effective on October 1, 2020. Consequently, the Participant requested the Direct Access Agreement be terminated on September 30, 2020. This Agreement sets forth the conditions for the early termination. **(ESS) Countywide (LDC)**

Background and Justification: The Participant approved a transition of its radio services to the MPSCC on July 14, 2020 and requested County terminate the Direct Connect Agreement which is no longer required.

Attachments:

Agreement

Recommended By:	<i>Joselyn C. Ayala Collier</i> <i>Deputy Director</i>	<i>8/14/20</i>
	Department Director	Date

Approved By:	<i>W Baker</i>	<i>8/27/2020</i>
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

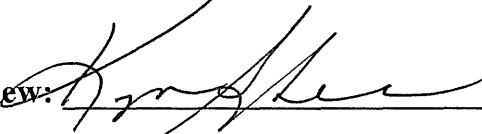
Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures					
Operating Costs					
External Revenues	(\$813.00)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	<u>(\$813.00)</u>				
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

Budget Account

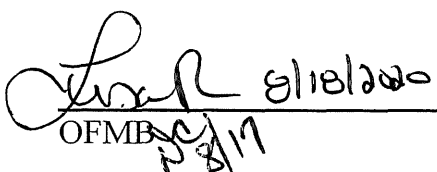

No:
 Fund 0001 Dept 410 Unit 4150 Revenue Source 4900 (\$813)
 Fund _____ Dept _____ Unit _____ Revenue Source _____

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

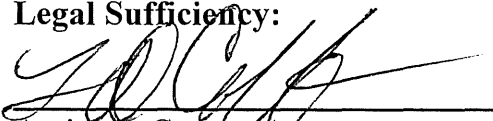
C. Departmental Fiscal Review:  _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 9/18/2020
 OFMB 2/8/17 LM
 8/21/2020
 Contract Development and Control

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

TERMINATION AGREEMENT

This Termination Agreement is made as of _____, by and between Palm Beach County, a political subdivision of the State of Florida, ("County") and the Village of Tequesta, a municipal corporation of the State of Florida ("Municipality").

WITNESSETH

WHEREAS, on December 17, 2019, the County approved an Interlocal Agreement R2019-1902 (the "Agreement") which provided the Municipality with direct access to the County's Public Safety Radio System through July 20, 2024; and

WHEREAS, on February 13, 2020, the Municipality approved the migration of its dispatch services to the City of Palm Beach Gardens, to be effective on October 1, 2020; and

WHEREAS, the Municipality will not require the services provided by the Agreement when the approved contract takes effect and has requested an early termination of the Agreement; and

WHEREAS, County is agreeable to the early termination of the Agreement; and

WHEREAS, the parties desire herein to set forth the terms and conditions for the termination of the Agreement.

Now, therefore, in consideration of the mutual promises contained herein, the County and Municipality agree as follows:

1. The Agreement terminates effective at 11:59 pm on September 30, 2020.
2. The Municipality shall contact the County to arrange for the deprogramming of all their equipment no later than October 16, 2020.
3. The Municipality shall pay the following sums for the deprogramming of the County channels from the Municipality's equipment at a rate of \$65/hour.
 - a) \$568.75 for 8.75 hours to deprogram thirty five (35) radios/ 4 radios per hour; and
 - b) \$113.75 for 1.75 hours to deprogram seven (7) radio consoles/ 4 per hour; and
 - c) \$130 for 2 hours of travel to and from the Municipality's Police Department to the Facilities, Development & Operations office.

4. Within 30 days of County deprogramming the channels from Municipality's equipment, the Municipality shall pay County for this service and send payment to:
Facilities Development & Operations
Fiscal Manager
2633 Vista Parkway
West Palm Beach, FL 33411-5603
Attn: 800 MHz Interlocal Agreement # _____, Invoice # _____
5. This Termination Agreement supersedes and replaces conflicting terms and conditions contained in the Agreement and to the extent of, and in the event of a conflict, the provisions of this Termination Agreement prevail.

THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties have caused this Termination Agreement be executed on 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: _____
Dave Kerner, Mayor

APPROVED AS TO
LEGAL SUFFICIENCY:

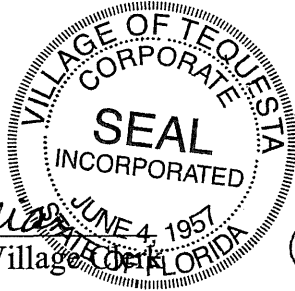
APPROVED AS TO TERMS AND
CONDITIONS:

By: _____
Assistant County Attorney

By: *Audrey Wolf*
Audrey Wolf, Director
Facilities Development & Operations

ATTEST:

By: *Lori McWilliams*
Lori McWilliams, Village Clerk



VILLAGE OF TEQUESTA
By: *Abby Brennan*
Abby Brennan, Mayor

APPROVED AS TO
LEGAL SUFFICIENCY:

By: *Keith W. Davis*
Keith W. Davis, Village Attorney