



## Cover Memorandum/Staff Report

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**File #:** 22-885

**Agenda Date:** 8/9/2022

**Item #:** 6.B.

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**TO:** Mayor and Commissioners  
**FROM:** L. Keith Tomey III, Fire Chief  
**THROUGH:** Terrence R. Moore, ICMA-CM, City Manager  
**DATE:** August 9, 2022

APPROVAL OF INTERLOCAL AGREEMENT FOR HAZARDOUS MATERIALS EMERGENCY RESPONSE SERVICES AND FUNDING, BETWEEN THE CITY OF DELRAY BEACH AND PALM BEACH COUNTY, PURSUANT TO THE ILA FOR FUNDING OF SUCH RESPONSES BETWEEN PALM BEACH COUNTY AND THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY.

**Recommended Action:**

Staff recommends the approval of the Interlocal Agreement to receive funding for providing the related regional hazardous materials response team services.

**Background:**

The City of Delray Beach, through its fire rescue department provides emergency response to all-hazards incidents, including Hazardous Materials (HAZMAT) response throughout Palm Beach County. Florida Statutes authorize local governments to make the most efficient use of their power by enabling cooperation to provide services that harmonize the needs of local communities. The Palm Beach County Regional Hazardous Materials Response Ordinance of 1998 established four regional HAZMAT response teams in the county. Delray Beach has provided this service in zone 4 along with a partner agency since 1998. The Solid Waste Authority of Palm Beach County provides funding to all four regional HAZMAT response teams through an agreement with Palm Beach County, using this agreement as the mechanism for disbursement.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

The County will remit payment to the City, upon receipt of invoice, in two (2) equal installments payable on February 1, and May 1 of each fiscal year covered by the agreement. The initial funding is \$316,070.13 for FY 2023 with annual funding increased each subsequent fiscal year by the same percentage increase, if any, received by Palm Beach County from the Solid Waste Authority.

**Timing of Request:**

Palm Beach County has requested initial signature by City of Delray Beach. The existing agreement is set to expire September 25, 2022. This successor agreement will be effective for 10 years from the date of full execution by all parties, listed on pg 1.