Legislation Details (With Text)

File #:	21-138	**Version:**	1	**Name:**	
Type:	Request			**Status:**	Agenda Ready
File created:	1/27/2021			**In control:**	City Commission
On agenda:	2/9/2021			**Final action:**	
Title:	RETROACTIVE APPROVAL OF RESOLUTION NO. 39-21 APPROVING AN AGREEMENT WITH PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, FOR PUBLIC SAFETY RADIO SYSTEM SERVICES - $135,000				
Sponsors:	Police Department				
Indexes:					
Code sections:					
Attachments:	1. Agenda Cover Report, 2. Resolution No. 39-21_lw, 3. Legal Review Checklist_Interlocal, 4. Delray Beach HUB Agmt 2				

Date	Ver.	Action By	Action	Result

TO: **Mayor and Commissioners**
FROM: **Javaro Sims, Police Department**
THROUGH: **Jennifer Alvarez, Interim City Manager**
DATE: **February 9, 2021**

RETROACTIVE APPROVAL OF RESOLUTION NO. 39-21 APPROVING AN AGREEMENT WITH PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, FOR PUBLIC SAFETY RADIO SYSTEM SERVICES - $135,000

Recommended Action:

Motion to retroactively approve Resolution No. 39-21 approving an agreement with Palm Beach County, a political subdivision of the State of Florida, for public safety radio system services, and authorize the City Manager to approve renewal options, in the amounts below, contingent upon appropriation of funds.

Background:

The Cities of Boca Raton, Delray Beach, and Boynton Beach have established, via Interlocal Agreement, the South Palm Beach County Public Safety Communications Cooperative for the purpose of expanding the geographic use of available frequencies for mutual assistance and daily activities for the establishment and operation of radio communications systems. This Cooperative was initially formed in 2003, updated in 2011 and then updated and approved by the City Commission on February 16, 2016. The previous Interlocal agreement expired February 2, 2021.

The County has decided to break the agreement with the three cities into separate agreements for ease of execution and have provided a new agreement for review at the beginning of the current fiscal year. The agreement has also been updated. Due to the time needed for review process and preparing agenda item, the new agreement is presented to the City Commission for approval a few days after existing agreement ends.

The City shall pay a pro rata share of the County's annual operations and maintenance costs based on a capped estimate of County's operations and maintenance costs. The County's estimated annual operations and maintenance costs are $90,000. The fee to be paid by the City for using the SmartZone Controller is determined as follows: the capped estimated annual operations and maintenance costs for that fiscal year are apportioned out to the City based on the total number of active talk groups for all users connected in the same configuration. The County shall re-calculate the apportionment of the operations and maintenance costs annually based on the total number of active talk groups used by the City or by the addition and/or deletion of users in the same hub configuration. The County's capped estimated operations and maintenance cost may be adjusted every three (3) years beginning in January 2024, and every three (3) years thereafter, by notice to the City no later than April 1st to be effective for the County's next fiscal year beginning October 1st. The most current cost for the City of Delray Beach was $22,164.12.

Staff recommends retroactive approval of this Agreement effective February 2, 2021, and extend five (5) years with options to renew for additional two (2) five-year terms. The City may terminate the Agreement with sixty (60) days' notice to the County.

Should the City exercise the renewal options provided in the contract, the cumulative contract value is provided below.

Estimated Contract Value		
Initial Term	February 2, 2021 - February 1, 2026	$135,000.00
Renewal #1	February 2, 2026 - February 1, 2031	$170,000.00
Renewal #2	February 2, 2031 - February 1, 2036	$250,000.00
TOTAL:		$555,000.00

This motion is in accordance with the Code of Ordinances Chapter 36, Commission Approval Required and Purchasing Policies and Procedures Manual.

City Attorney Review:
Approved as to form and legal sufficiency.

Funding Source/Financial Impact:
Funding from account 001-21-110-521.46-15

Timing of Request:
This issue is very time sensitive in order to provide the required services without interruption.