

**BOARD OF COUNTY COMMISSIONERS**

**BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**AUGUST 21, 2012**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
1	2:00 P.M.	<b><u>DELETED:</u></b> Miniature or Pot Bellied Pigs as Household Pets (PZB)
5	3C-1	<b><u>ADD-ON:</u></b> Request approval to present off-site, a Proclamation declaring August 26 – September 2, 2012 as “New Avenue ‘S’ Church of Christ Dedication Week” in Palm Beach County. (Sponsored by Commissioner Taylor)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA**

**AUGUST 21, 2012**

**TUESDAY  
9:30 A.M.**

**COMMISSION CHAMBERS**

**1. CALL TO ORDER**

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

**2. AGENDA APPROVAL**

- A. Additions, Deletions, Substitutions
- B. Adoption

**3. REGULAR AGENDA**

**TIME CERTAIN 9:30 A.M. (Workshop Level Discussion)**

- 3B-1 County \$12.50 Fine and Forfeiture Disbursement Program (FDO)
- 3B-2 Municipal Public Safety Communications Consortium Funding (FDO)
- 3B-3 Countywide Public Safety Radio System Renewal/Replacement Project (FDO)

**WORKSHOP SESSION**

- 4. 2:00 P.M.      ~~DELETED:~~ Miniature or Pot Bellied Pigs as Household Pets (PZB)**

**5. ADJOURNMENT**

AUGUST 21, 2012

3. REGULAR AGENDA

A. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
  
2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (TIME CERTAIN 9:30 A.M.)

1. Staff recommends motion to:

**A) adopt** Resolution rescinding R2002-0192 which allocates a portion of the funds from each moving traffic violation collected pursuant to Section 318.21(9) F.S. (\$12.50 Funds) for municipal efforts which enhance the County's Intergovernmental Public Safety Communications Program (ICP);

**B) authorize** the transfer of all remaining balances from Fund 1262 (Municipal) to Fund 1269 (County) upon the payment of all eligible requests made pursuant to R2002-0192 and received prior to, but not including, October 1, 2012;

**C) adopt** Resolution rescinding and replacing Resolution R2000-0407 providing for the procedures for allocation of funds collected pursuant to Section 318.21(9) F.S. specifically clarifying the distribution of reports prepared by the Clerk & Comptroller; and

**D) authorize** amendments to all direct and hub connectivity agreements with municipalities to offer the same credits for \$12.50 Funds collected against annual charges which are provided to the Sheriff.

**SUMMARY:** Conceptually in 1999 and then with reimbursement procedures added in 2002, the Board allocated a portion of the County's \$12.50 Funds to assist each city in becoming interoperable with the County's Public Safety Radio System. Palm Beach County is the only county with an ICP that distributes its funds specifically with the intent to create a countywide interoperable system. The criteria for reimbursement were documented in the Resolution following a series of correspondence from the State describing what it considered to be eligible expenses. As of June 30, 2012, the County has distributed \$10,236,650. All cities have made their choice as to how they were to be interoperable and sought reimbursement for eligible expenses. At the request of the League of Cities in May, Staff postponed this item so that each City could better understand the potential impact of the recommendation. Staff held two informational meetings for the distribution of city specific detailed analysis of each city's participation in the program. The meetings were attended by law enforcement personnel, city administrators, and elected officials. Staff's recommendation remains that the County should terminate this program as these non-ad valorem funds can fund County ICP expenses and thereby free up an equal amount of ad valorem dollars, although alternatives have been developed by Staff incorporating the suggestions of the cities. Staff is also seeking authorization to prepare amendments to each of the direct and hub connectivity agreements to apply the same credits for \$12.50 Funds collected against annual charges which it extends to the Sheriff. The net benefit to the County of these four recommendations is estimated as \$1,108,367 (in one-time revenues) and approximately \$180,000 annually. These increased revenues would be used solely for eligible County expenses which exceed the current County share of the \$12.50 funds. (FDO Admin) Countywide (JM)

3. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to deny: a request of the Municipal Public Safety Communications Consortium (MPSCC) that Staff be directed to make reimbursements pursuant to Resolution 2002-0192 (Resolution) to municipalities utilizing the MPSCC's Law Enforcement Communications System (MPSCC System) for infrastructure and/or subscriber unit expenses. **SUMMARY:** MPSCC represents six cities which chose to implement a Law Enforcement Communications System (Harris-OpenSky) independent of the County's Public Safety Radio System (Motorola). Staff's concerns over the MPSCC System's ability to meet the requirements of the Resolution were made known prior to: 1) the MPSCC selecting its System (2001), 2) the State approval of OpenSky technology (2002), 3) the MPSCC executing a contract for its System, 4) the time at which the design of the MPSCC system was completed. Currently, five of the six cities are operational on the MPSCC System with the first becoming operational in 2009, another in 2010 and three others in 2012. Within the last months, interoperability has been achieved. It is Staff's position however, that MPSCC System expenses are not eligible expenses pursuant to F.S. 318.21, which is a State statute that regulates expenditure of \$12.50 radio funding. The Resolution's two criteria are: 1) interoperability with the County System, and 2) compliance with the requirements of FS 381.21. Throughout this process, the County has respected the cities' autonomy in their choice of a radio system, but with full notice of this issue. Denial of requests for reimbursement for MPSCC expenses were made as early as 2003. In 2007, the County Administrator advised the MPSCC that "if this matter is brought to the Board without a resolution to the technical matters, it will be with a strong recommendation from this office that the Board not direct Staff to reimburse the MPSCC System expenses under the resolution as it may jeopardize the County's future disbursement of \$12.50 monies to itself and other municipalities that have direct access to the County's system. This position is supported by an opinion from the County Attorney's Office." The MPSCC believes that Staff's eligibility criteria are arbitrary and inconsistent with the intent of the Board Resolution. The proposed termination of the \$12.50 Program and the MPSCC member's inaccessibility to future and accumulated balances has now caused the MPSCC to request the review be elevated to the Board. (FDO Admin) Countywide (JM)

3. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to:

**A) approve** a sole source procurement with Motorola Solutions Inc., for the replacement of Master Site Equipment (MSE) for the County's Countywide Public Safety 800 MHz Radio System (System); and

**B) authorize** Staff to negotiate a purchase contract.

**SUMMARY:** Staff is recommending a sole source procurement with Motorola Solutions, Inc. (Motorola) for the replacement of only the Master Site Equipment (MSE) which controls the entire System. The County's need is to replace only the portion of the system that has reached the end of its useful life and is no longer supported with replacement parts so that mission critical reliability is maintained. We also need to maintain interoperability with all current users and partners without forcing them to expend funds to maintain that interoperability. The Motorola produced and installed MSE are the only products which meet the need and are only available through Motorola. The project cost is estimated at \$4,600,000 which is approximately 10% of the value of a total System replacement. At the conclusion of the scope negotiations, Staff will secure multiple sources of pricing for similar competitive and sole source procurements which will be used as the basis for negotiations to ensure that the County receives a fair price for the scope of work. The final negotiated contract will be brought back to the Board for approval by the end of the calendar year. The funding for this project is from the Renewal/Replacement & Infrastructure – 800 MHz System Fund which is comprised of system connection and renewal/replacement annual charges collected since 2000 and \$12.50 funds collected by the Palm Beach County Sheriff's Office; both of which were collected for this specific purpose and cannot be used for other non-System purposes. (FDO Admin) Countywide (JM)

C. COUNTY COMMISSION

1. **ADD-ON:** Request approval to present off-site, a Proclamation declaring August 26 – September 2, 2012 as "New Avenue 'S' Church of Christ Dedication Week" in Palm Beach County. (Sponsored by Commissioner Taylor)

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