



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#13-1210**

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**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** September 3, 2013

**TITLE:** Assignment, Delegation, and Release Agreement as to the Interlocal Agreement providing for distribution of the proceeds according to the Florida Emergency Telephone Act

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**Recommendation**

It is recommended that the City Commission approve a motion authorizing the proper City officials to enter into Agreement with Broward County providing for Assignment, Delegation, and Release Agreement as to the Interlocal Agreement providing for distribution of the proceeds according to the Florida Emergency Telephone Act.

**Background**

Prior to 1992, there were several E-911 dispatch centers operating independently in Broward County. In 1992, Broward County created a regional communications system, fully funded by County revenues, utilizing an 800 MZ system, and offered all other agencies the opportunity to join the regional system at no charge. At the time some agencies joined the regional communications system and provided their radio frequencies to Broward County for use by the system, but numerous other agencies, including the City of Fort Lauderdale, continued to operate their own dispatch systems.

At this time, the City of Fort Lauderdale has agreed to take action to migrate to the County's Computer Aided Dispatch System (CAD) communication platform. In order to participate, the City must execute this Assignment, Delegation, and Release Agreement (Exhibit 1), Regional Interlocal Agreement (Exhibit 1 to CAM 13-1211) and a Participation Agreement (Exhibit 1 to CAM 13-1212).

In January 1992, the City entered into an interlocal agreement with the County that provided for the distribution of proceeds in accordance with the Florida Emergency Telephone Act relating to the City's Public Safety Answering Point ("PSAP Agreement"). The rights, duties, and obligations were later assigned to the Broward Sheriff's Office. However, effective October 1, 2012, the rights, duties, and obligations were transferred back to the County. The City has not received any distributions since October 1, 2012.

This agreement releases the County and the Sheriff from any cause of action regarding the original PSAP agreement of 1992 and all amendments thereto. If the City executes this agreement, the City waives its right to bring legal action against the County or the Sheriff regarding their performance under the prior agreements, especially the distribution of E911 proceeds due to the City in the past and in the future.

The agreement further provides that there were no amendments to the original PSAP agreement, that the County performed all its obligations under the PSAP agreement and after the Sheriff assumed the County's obligations under the PSAP agreement, the Sheriff performed these obligations. The agreement provides that no party has defaulted on the original PSAP agreement and all parties have fully performed thereunder.

The agreement also provides that all monies that were due to the City under the prior PSAP agreement have been paid except monthly disbursements due to the City on and after October 1, 2012 through April 1, 2013 which will be paid by the County within 20 days of execution of the agreement. The amount owed to the City is \$720,529.00. The agreement provides that the County will pay the City a one-time disbursement within 20 days after execution of the agreement in the amount of \$120,583.

Documentation has been requested from the County regarding prior amendments, distribution amounts previously made and to whom and call distribution percentages. The documents received from the County have been provided to staff for review and comment to determine if all obligations under the PSAP have been met by the County.

### **Resource Impact**

There is no current year fiscal impact, however there will be costs in future years that are still being determined.

Related CAM: 13-1211 and 13-1212

#### Attachments:

Exhibit 1 – Assignment Agreement

Exhibit 2 – Staff Report

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Prepared by: Diana Scott, Administrative Assistant II

Department Director: Mike Maier, ITS Director/CTO