

CONSENT AGENDA PUBLIC COMMENT**CONSENT AGENDA****Approval of the Consent Agenda****Approve the Consent Agenda**

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT MOTION

CM-1 23-0529 Motion Approving an Event Agreement for Igloo Cooler Festival - (Commission District 3)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CM-2 23-0458 Motion Accepting FY2022/2023 Broward County Enhanced Marine Law Enforcement Grant Increase - \$7,392 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CM-3 23-0532 Motion Approving a Limited Motor Vehicle Parking License Agreement with the Florida Department of Management Services for the Use of Parking at 1400 West Commercial Boulevard for Events held at DRV PNK Stadium - (Commission District 1)

APPROVED

Yea: 5 - Vice Mayor Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT RESOLUTION

CR-1 23-0577 Resolution Delegating Authority to the City Manager to Execute a Temporary Beach License and Outdoor Event Agreement with the Florida Panthers Foundation, Inc. for a Celebratory Parade Should the Florida Panthers Hockey Team Win the 2023 NHL Stanley Cup Championship - (Commission Districts 1, 2, 3 and 4)

ADOPTED



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

#23-0458

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

FROM: Greg Chavarria, City Manager

DATE: June 6, 2023

TITLE: Motion Accepting FY2022/2023 Broward County Enhanced Marine Law
Enforcement Grant Increase - \$7,392 - (Commission Districts 1, 2, 3 and 4)

Recommendation

Staff recommends the City Commission approve the acceptance of an additional \$7,392 in funding from the Broward County Enhanced Marine Law Enforcement Grant Program for FY2022/2023.

Background

In January 2022, the City applied to Broward County for funding through the Enhanced Marine Law Enforcement Grant (EMLEG) Program. The purpose of the EMLEG Grant Program is to improve boating safety in Broward County by enhancing or supplementing marine law enforcement activities and improving boating safety education. In September, the City accepted a grant award of \$184,104 in EMLEG funding (via CAM #22-0745), which will be used by the Fort Lauderdale Police Department to provide up to 3,696 hours of peak time waterway law enforcement patrols and to attend marine law enforcement training. Enhanced Marine Law Enforcement Grant funding allows the Department to schedule Marine Unit officers to work evening shifts at a reduced cost to the City. Absent EMLEG funding, the Department would be unable to schedule Marine Unit personnel during evening shifts.

In April 2023, the City received notification that the hourly reimbursement rate associated with the EMLEG program will be raised from \$49 to \$51. This rate increase will be retroactive to January 1, 2023 and will result in a grant award increase of \$7,392. The period of performance remains October 1, 2022 – September 30, 2023.

Resource Impact

There is an anticipated positive fiscal impact to the City in the amount the amount of \$7,392, which will be appropriated to the accounts below contingent upon the approval of the Consolidated Budget Amendment CAM 23-0215.

Source:

Funds available as of May 4, 2023					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB- OBJECT NAME	AMENDED BUDGET (Character)	AMOUNT RECEIVED (Character)	AMOUNT
10-129-9300-521-337- 201-23GEMLEG	Enhanced Marine Law Enforcement FY23	Intergovt Revenue/Broward County - Public Safety	\$184,104.00	\$0.00	\$7,392.00
APPROPRIATION TOTAL →					\$7,392.00

Appropriate To:

ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB- OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
10-129-9300-521-40- 4352-23GEMLEG	Enhanced Marine Law Enforcement FY23	Other Oper Exp/Servchg-Police	\$184,104.00	\$166,083.00	\$7,392.00
APPROPRIATION TOTAL →					\$7,392.00

Strategic Connections

This item is a 2022 *Commission* Priority, advancing the Community Response and Safety initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Public Safety Focus Area
- Goal 6: Build a safe and well-prepared community.
- Objective: Prevent and solve crime in all neighborhoods.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Community.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan specifically advancing:

- The Public Safety Focus Area
- The Coastal Management, Community Health and Safety Element
- Goal 4: Coordinate with related partners and agencies (at city, local, county, regional, state, and federal levels) to plan for disaster and emergency management, further the resiliency of coastal areas, and ensure city-wide community health and safety.

Related CAM

#23-0215

Attachments

Exhibit 1 – FY2022/2023 Broward County Enhanced Marine Law Enforcement Grant Program Amendment

Exhibit 2 – CAM #22-0745 Motion Accepting Broward County Enhanced Marine Law Enforcement Grant Program Funds

Prepared by: Dayna L. Bhaggan, Public Safety Grants Manager, Police Department

Department Director: Patrick Lynn, Chief of Police



FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF FORT LAUDERDALE FOR IMPLEMENTATION OF PROJECTS PURSUANT TO THE ENHANCED MARINE LAW ENFORCEMENT GRANT FOR GOVERNMENTAL ENTITIES FY 2022 - 2023

This First Amendment ("First Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida ("County"), and City of Fort Lauderdale, a municipal corporation of the State of Florida ("City") (collectively referred to as the "Parties").

RECITALS

A. The Parties entered into the Agreement between Broward County and City of Fort Lauderdale for Implementation of Projects Pursuant to the Enhanced Marine Law Enforcement Grant for Governmental Entities FY 2022-2023, dated October 12, 2022 (the "Agreement"), to provide marine patrol coverage.

B. The Parties now desire to retroactively amend the Agreement to increase the rate for Daytime Marine Patrol Coverage and Aggressive Marine Patrol Coverage from \$49 per hour to \$51 per hour for all Services provided from January 1, 2023, through the end of the Term.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The above Recitals are true and correct and are incorporated herein by reference. All capitalized terms not expressly defined within this First Amendment shall retain the meaning ascribed to such terms in the Agreement.

2. Amendments to the Agreement made pursuant to this First Amendment are indicated herein by use of strikethroughs to indicate deletions and bold/underlining to indicate additions. Except as modified herein, all remaining terms and conditions of the Agreement shall remain in full force and effect.

3. The effective date of this First Amendment is retroactive to January 1, 2023. City may submit or resubmit invoices for Services at the increased rate provided herein for all Services provided from January 1, 2023, through the end of the Term.

4. Compensation. Sections 4.1 and 4.2 of the Agreement are amended in relevant part as follows:

4.1. County will pay City up to a maximum amount ~~One Hundred Eighty-four Thousand, One Hundred and Four Dollars (\$184,104.00)~~ **One Hundred Ninety-One Thousand, Four Hundred Ninety-Six Dollars (\$191,496.00)** on a reimbursement basis based on the rate set forth in Sections 4.2 and 4.3 below, in the manner specified in Article 5, for eligible goods purchased or Services actually performed and completed pursuant to this

Agreement, which amount shall be accepted by City as full compensation for all such goods and Services. . . .

...

4.2. The rate charged by City for patrolling the waterways within Broward County shall be ~~Forty-nine Dollars (\$49)~~ **Fifty-One Dollars (\$51)** per hour per officer. . . .

...

5. Invoices. Sections 5.1 and 5.6 of the Agreement are amended in relevant part as follows:

5.1 Invoices. City shall invoice County quarterly utilizing the form provided by the Contract Administrator **no later than ninety (90) days after the last day of the quarter for which Services are being invoiced,** and including the following information:

...

5.6 City will not be entitled to payment by County for any invoices received by County later than ninety (90) days after **the earlier of (a) expiration or earlier termination of this Agreement or (b) the last day of the quarter for which Services are being invoiced in accordance with Section 5.1.**

6. Program Funds. Section 2 of Exhibit A is deleted in its entirety and replaced with the following (bold/underlining omitted):

2. **Program Funds:**

	Not-to-Exceed Amount
Daytime Patrol in zones: IV-A, V, VI, VI-A (2,496 hours at \$51 per hour):	\$127,296.00
Aggressive Patrol in zones: IV-A, V, VI, VI-A (1,200 hours at \$51 per hour):	\$61,200.00
Marine Law Enforcement training classes for three officers:	\$3,000.00
Total Costs:	\$191,496.00

7. In the event of any conflict or ambiguity between this First Amendment and the Agreement, the Parties agree that this First Amendment shall control. The Agreement, as amended herein by this First Amendment, incorporates and includes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein, and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter hereof that are not contained in the Agreement as amended in this First Amendment. Accordingly, the Parties agree that no deviation from the

terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

8. Preparation of this First Amendment has been a joint effort of the Parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than any other.

9. City acknowledges that through the date this First Amendment is executed by City, City has no claims or disputes against County with respect to any of the matters covered by the Agreement.

10. This First Amendment may be executed in counterparts, whether signed physically or electronically, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

(The remainder of this page is blank.)

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its County Administrator, authorized to execute same Board action on April 18, 2023 (Item #36), and CITY OF FORT LAUDERDALE, signing by and through its Mayor, duly authorized to execute same.

COUNTY

BROWARD COUNTY, by and through
its County Administrator

By: _____
County Administrator

____ day of _____, 2023

Approved as to form by
Andrew J. Meyers
Broward County Attorney
115 South Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600

By _____
Amanda Tolbert (Date)
Assistant County Attorney

By _____
Stacey Weinger (Date)
Assistant County Attorney

AMT
EMLEG Rate Increase Amendment
04/17/2023

AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF FORT LAUDERDALE
FOR IMPLEMENTATION OF PROJECTS PURSUANT TO THE ENHANCED MARINE LAW
ENFORCEMENT GRANT FOR GOVERNMENTAL ENTITIES FY 2022 - 2023

CITY

CITY OF FORT LAUDERDALE

See Page 5a for City Signatures

ATTEST:

By: _____
CITY MAYOR

CITY CLERK

Print Name

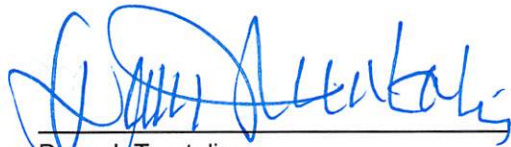
_____ day of _____, 20____

I HEREBY CERTIFY that I have approved this
Agreement as to form and legal sufficiency
subject to execution by the parties:

City Attorney

**FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF
FORT LAUDERDALE FOR IMPLEMENTATION OF PROJECTS PURSUANT TO ENHANCED
MARINE ENFORCEMENT GRANT FOR GOVERNMENTAL ENTITIES FY 2022-2023**

FOR THE CITY OF FORT LAUDERDALE:



Dean J. Trantalis
Mayor

6/24/23

Date

[Municipal Seal]

ATTEST:



David R. Soloman
City Clerk

6/26/23

Date



Greg Chavarria
City Manager

6/26/23

Date



Approved as to Form:



Bradley H. Weissman
Assistant City Attorney/ Police Legal Advisor

6/14/23

Date



DOCUMENT ROUTING FORM

Rev: 3 | Revision Date: 9/1/2022

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TODAY'S DATE: 06/14/2023DOCUMENT TITLE: Motion Accepting FY2022/2023 Broward County Enhanced Marine Law Enforcement Grant Increase - \$7,392COMM. MTG. DATE: 06/06/2023 CAM #: 23-0458 ITEM #: CM-2 CAM attached: ☒ YES ☐ NORouting Origin: Police Router Name/Ext: Dayna Bhaggan x 5284 Action Summary attached: ☒ YES ☐ NOCIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include land, real estate, realty, or real.

2) City Attorney's Office: Documents to be signed/routed? ☐ YES ☐ NO # of originals attached: _____Is attached Granicus document Final? ☐ YES ☐ NO Approved as to Form: ☐ YES ☐ NODate to CCO: _____ Attorney's Name: Bradley H. Weissman Initials: BW3) City Clerk's Office: # of originals: 1 Routed to: _____ Ext: _____ Date: 06/23/234) City Manager's Office: CMO LOG #: Jun 49 Document received from: 06/23/23Assigned to: GREG CHAVARRIA ☐ ANTHONY FAJARDO ☐ SUSAN GRANT ☐GREG CHAVARRIA as CRA Executive Director ☐☐ APPROVED FOR G. CHAVARRIA'S SIGNATURE ☐ N/A G. CHAVARRIA TO SIGNPER ACM: A. FAJARDO (Initial)S. GRANT (Initial)☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward ☒ originals to ☒ Mayor ☐ CCODate: 6/26/23

5) Mayor/CRA Chairman: Please sign as indicated.

Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

INSTRUCTIONS TO CITY CLERK'S OFFICE

City Clerk: Retains 0 original and forwards 1 originals to: Dayna Bhaggan/ Police Grants/ 5284 (Name/Dept/Ext)Attach _____ certified Reso # _____ ☐ YES ☐ NO

Original Route form to CAO