



Broward County

Legislation Text

File #: 23-770, Version: 1

Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Resilient Environment **Division:** Natural Resources Division

Information

Requested Action

MOTION TO APPROVE First Amendment to Agreement between Broward County and Broward Sheriff's Office (BSO) for year-round marine patrol and enforcement services in accordance with the conservation component of the County's Manatee Protection Plan in the estimated total amount of \$1,078,252 for a period of five years, effective October 1, 2023, through September 30, 2028, and authorize the Mayor and Clerk to execute same. **(Commission Districts 4, 6 and 8)**

Why Action is Necessary

In accordance with Broward County Procurement Code Section 21.94.a, action by the Broward County Board of County Commissioners is necessary to amend contracts.

What Action Accomplishes

This action allows for the continuation of a specified manatee conservation measure required by the County's Manatee Protection Plan.

Is this Action Goal Related

Yes

Previous Action Taken

None taken.

Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE NATURAL RESOURCES DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item supports the County's value of building partnerships and working collaboratively with others to meet shared objectives and the goal of ensuring accessible, seamlessly integrated investments in renewable energy, sustainable practices, manufacturing, resilient infrastructure, and environmental protection.

On June 26, 2007, the Board of County Commissioners (Board) approved the Boat Facility Siting Plan component of the Manatee Protection Plan (Item No. 49). The Manatee Protection Plan (MPP) requires various conservation measures including the services of an additional law enforcement officer to patrol specific waterways that include the New River, South Fork of the New River, and the Dania Cutoff Canal.

On December 11, 2007, the Board established the Manatee Protection Plan Fund to cover all costs of the law enforcement officer (Item No. 25).

On April 29, 2009, the Board approved an Agreement with the Broward Sheriff's Office (BSO) for five years of patrol services in the designated waterways (Item No. 59). The agreement was amended on September 24, 2013 (Item No. 23) for an additional five years of services. At the expiration of the first Agreement, the County entered into a second five-year agreement on December 5, 2018, (Item No. 21) with BSO for the required patrol services, which is set to expire on September 30, 2023. To date, \$844,774 have been paid to BSO for over four years of patrol services. The County has not yet received all invoices for Fiscal Year 2023.

The waterway segments are located within multiple municipalities and unincorporated Broward County. As such, the Broward Sheriff's Office and the Florida Fish and Wildlife Conservation Commission (FWC) are the only law enforcement entities with the authority to provide enforcement services in the areas mentioned above. After discussion with both agencies, FWC indicated it would be unable to commit the resources necessary to provide contractual services consistent with the MPP, so the Natural Resources Division seeks to exercise Section 3.2 of the Agreement to extend the services for an additional five years.

Approval of this Amendment will provide year-round marine law enforcement services by a full-time armed uniformed deputy in a fully equipped and appropriately marked patrol vessel needed to fulfill the enforcement component of the County's Manatee Protection Plan. The Amendment provides BSO with a not-to-exceed amount of \$1,078,252 (Year 1 - \$204,957; Year 2 - \$209,728; Year 3 - \$216,039; Year 4 - \$221,132; Year 5 - \$226,394) over the term of the agreement in delivery of these services. Expenses account for a full-time patrol deputy, patrol vessel (discounted), pickup truck required for towing, and scheduled engine replacement.

The Amendment has been reviewed and approved as to form by the County Attorney's Office.

The Office of Economic and Small Business Development did not recommend application of percentage goals for CBE subcontractors to this project given the scope of services and lack of subcontracting opportunities.

Source of Additional Information

Monica Pognon, Director, Natural Resources Division, (954) 519-1476.

Fiscal Impact

Fiscal Impact/Cost Summary

The activities described in this agreement will be funded by the Manatee Protection Plan's dedicated Existing Boat Slip Fee program.