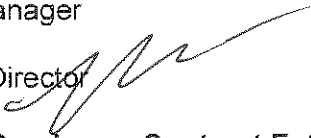




**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: June 26, 2012

TO: Robert Baldwin, City Manager

FROM: Marc LaFerrier, AICP, Director 

SUBJECT: **Building Department Services – Contract Extension**

The *Interlocal Agreement for Building Code Services (ILA)* between the City and Broward County was entered into on September 23, 2008. The 2008 ILA was amended on September 29, 2011 and on December 14, 2011 and will expire on June 30, 2012. Pursuant to the ILA, the County Administrator and the City Manager are authorized to approve amendments extending this agreement.

The Community Development Department is requesting an extension of the ILA until November 30, 2012 to allow time to finalize a new Interlocal Agreement with Broward County. The County is willing to approve a third amendment to the ILA, as requested. The terms, rates and conditions contained within the 2008 ILA shall remain in full force during the term of the proposed extension. Subsequently, the new Interlocal Agreement for Building Services will be scheduled for the City Commission's consideration.

CITY COMMISSION PREVIOUS ACTION

On March 27, 2012, the City Commission authorized the Community Development Director to negotiate an Interlocal Agreement with Broward County for partial service building code services.

STAFF RECOMMENDATION

Approve the resolution authorizing the Mayor and City Manager to execute a third amendment to the Interlocal Agreement with Broward County for Building Code Services, as attached, effective July 1, 2012 through November 30, 2012.

Return recorded document to:
Susan Pierce, Director
Permitting, Licensing and Consumer
Protection Division
1 North University Drive, Bldg B, #302
Plantation, FL 33324

Document prepared by:
John E. Naclerio III, Asst. County Attorney
Broward County Office of the County Attorney
115 S Andrews Avenue, Room 423
Fort Lauderdale, FL 33301

THIRD AMENDMENT
to
INTERLOCAL AGREEMENT
between
BROWARD COUNTY
and
CITY OF DANIA BEACH
for

BUILDING CODE SERVICES TO BE PERFORMED BY THE BROWARD COUNTY
PERMITTING, LICENSING AND CONSUMER PROTECTION DIVISION OF THE
ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

This is a Third Amendment to that certain Agreement described herein, made and entered into by and between BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

CITY OF DANIA BEACH, a municipal corporation existing under the laws of the state of Florida, hereinafter referred to as "CITY."

WHEREAS, on September 23, 2008, COUNTY and CITY entered into an Interlocal Agreement for Building Code Services, hereafter referred to as "Agreement." Said Agreement is recorded at Official Records Book 45711, Page 880, of the Public Records of Broward County, Florida; and

WHEREAS, the Agreement was entered into pursuant to Section 163.01, Florida Statutes, also known as the "Florida Interlocal Cooperation Act of 1969"; and

WHEREAS, on September 29, 2011, COUNTY and CITY entered into a First Amendment to the Agreement. Said First Amendment is recorded at Official Records Book 48215, Page 546, of the Public Records of Broward County, Florida; and

WHEREAS, on December 14, 2011, COUNTY and CITY entered into a Second Amendment to the Agreement. Said Second Amendment is recorded at Official Records Book 48385, Page 1907, of the Public Records of Broward County, Florida; and

WHEREAS, pursuant to Section 4.1 of the Agreement, the Agreement expires on June 30, 2012; and

WHEREAS, CITY has requested that the Agreement be extended until November 30, 2012; and

WHEREAS, Section 9.6 of the Agreement authorizes the County Administrator to approve amendments extending the term of the Agreement; and

WHEREAS, COUNTY, through its Permitting, Licensing and Consumer Protection Division ("PLCPD"), is willing to extend the term of the Agreement until November 30, 2012, as hereafter set forth; NOW THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, COUNTY and CITY agree as follows:

1. The foregoing recitals and representations are true and correct and by this reference hereto are incorporated herein and made a part hereof.
2. The term of the Agreement pursuant to Section 4.1 shall be extended to November 30, 2012.
3. Except as specifically set forth herein, all of the terms and conditions contained within the Agreement shall remain in full force and effect and are incorporated herein by reference.
4. This document 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 of this document that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.
5. Each individual executing this Third Amendment on behalf of a party hereto hereby represents and warrants that he or she is, on the date he or she signs this Amendment, duly authorized by all necessary and appropriate action to execute this Third Amendment on behalf of such party and does so with full legal authority.
6. This Third Amendment shall be effective upon recordation in the Public Records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.

IN WITNESS WHEREOF, the parties hereto have made and executed this Third Amendment: BROWARD COUNTY through its County Administrator, duly authorized to execute same, and CITY OF DANIA BEACH, signing by and through its _____, duly authorized to execute same.

COUNTY:

BROWARD COUNTY

By _____
County Administrator

____ day of _____, 2012

Approved as to form by
Office of the County Attorney
for Broward County, Florida
JONI ARMSTRONG COFFEY, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By _____
Assistant County Attorney

____ day of _____, 2012

THIRD AMENDMENT TO INTERLOCAL AGREEMENT FOR BUILDING CODE SERVICES TO BE PERFORMED BY THE BROWARD COUNTY PERMITTING, LICENSING AND CONSUMER PROTECTION DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

CITY

CITY OF DANIA BEACH

Attest:

By _____
Robert Baldwin, City Manager

Louise Stilson, CMC, City Clerk

_____ day of _____, 2012

APPROVED AS TO FORM:

By _____
Thomas J. Ansboro, City Attorney

JEN/
6/12/12
DaniaBeach.3rdAmend.BldgServ
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