RESOLUTION NO. 2010-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA TO AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FIFTH AMENDMENT TO THE AGREEMENT BY AND BETWEEN KENNETH C. JENNE, II, SHERIFF OF BROWARD COUNTY, FLORIDA AND CITY OF PARKLAND FOR LAW ENFORCEMENT SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Parkland reviewed various options for providing police services to its citizens; and

WHEREAS, on February 4, 2004, the City Commission awarded a contract with the Broward Sheriff’s Office (“BSO”) for law enforcement services (“Agreement”); and

WHEREAS, during the 2010-2011 budget process, the City Commission authorized the use of overtime for a Motorcycle Officer and bicycle patrol for a traffic control and community presence; and

WHEREAS, for BSO to expend the additional amount of $128,680.00, an amendment to the original contract is required; and

WHEREAS, the City Commission hereby determines it to be in the best interest of the citizens and residents of the City of Parkland that the Fifth Amendment to the Agreement be adopted; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, THAT;

SECTION 1. The foregoing “WHEREAS” clauses are confirmed and ratified as being true and correct and are hereby incorporate herein. All exhibits attached hereto are hereby incorporate herein.

SECTION 2. The City Commission of the City of Parkland hereby approves the Fifth Amendment to the Agreement By and Between Kenneth C. Jenne, II, Sheriff of Broward County, Florida and the City of Parkland for Law Enforcement Services to cover overtime hours of a Motorcycle Officer and a bicycle patrol, a copy of which is attached hereto and incorporated by reference as if set forth in full.
SECTION 3. The appropriate City officials are hereby authorized and
directed to execute the necessary documents to effectuate the purpose and intent
of this resolution.

SECTION 4. All resolutions or parts of resolutions in conflict herewith are
hereby repealed to the extent of such conflict.

SECTION 5. If any clause, section, other part or application of this
Resolution is held by any court of competent jurisdiction to be unconstitutional or
invalid, in part of application, it shall not affect the validity of the remaining portions
or applications of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon
adoption.

PASSED AND ADOPTED THIS 17 DAY OF November 2010.

CITY OF PARKLAND

MICHAEL UDINE, MAYOR

ATTEST:

SANDRA COUZZO, CMO
CITY CLERK
FIFTH AMENDMENT TO LAW ENFORCEMENT SERVICE AGREEMENT
BY AND BETWEEN CITY OF PARKLAND AND
THE SHERIFF OF BROWARD COUNTY

THIS FIFTH AMENDMENT is made and entered into this ___ day of
February 2011, by and between the City of Parkland, a municipal
corporation organized and existing under the laws of the State of Florida, which is a municipality
located within the boundaries of Broward County, Florida (hereinafter referred to as CITY) and
the Sheriff of Broward County, Florida, (hereinafter referred to as BSO).

WITNESSETH:

WHEREAS, on or about March 5, 2004, the CITY contracted with BSO to provide law
enforcement services to the CITY; and

WHEREAS, on or about May 11, 2004, BSO and the CITY entered into a First
Amendment to said Agreement; and

WHEREAS, on or about June 30, 2008, BSO and the CITY entered into a Second
Amendment to said Agreement; and

WHEREAS, on or about January 13, 2009, BSO and the CITY entered into a Third
Amendment to provide for additional services; and

WHEREAS, on or about February 23, 2010, BSO and the City entered into a Fourth
Amendment to add overtime funding; and

WHEREAS, the initial agreement, First Amendment, Second Amendment, Third
Amendment and Fourth Amendment are hereinafter collectively referred to as the “Agreement”; and

WHEREAS, the parties are desirous of effectuating a Fifth Amendment to the
Agreement to add overtime funding and modify the terms and conditions as set forth herein.

NOW, THEREFORE, be it agreed by and between the parties as follows:

1. The above referenced recitations are true and correct and made a part hereof.

2. The consideration payable by the CITY to BSO for fiscal year 2010/2011 will be
   increase by one hundred twenty eight thousand six hundred eighty dollars
   ($128,680.00), which will be used to cover the overtime hours of a Motorcycle
   Deputy and a bicycle patrol. This increase is only for fiscal year 2010/2011 and
   shall not be added to the base consideration for future years.

3. Except as herein amended, all other provisions of the Agreement shall remain in
   full force and effect.
FIFTH AMENDMENT TO LAW ENFORCEMENT SERVICE AGREEMENT BY AND BETWEEN CITY OF PARKLAND AND THE SHERIFF OF BROWARD COUNTY

IN WITNESS WHEREOF, the parties execute this Fifth Amendment on the date(s) set forth below:

AL LAMBERTI, SHERIFF
SHERIFF OF BROWARD COUNTY

By: ____________________________
Al Lamberti Sheriff

Date: ____________________________
1-18-11

Approved as to form and legal sufficiency subject to execution by the parties:

By: ____________________________
Judith Levine, General Counsel

Date: ____________________________
FIFTH AMENDMENT TO LAW ENFORCEMENT SERVICE AGREEMENT BY AND BETWEEN
CITY OF PARKLAND AND THE SHERIFF OF BROWARD COUNTY

CITY OF PARKLAND
By: _____________________________
  Michael Udine, Mayor
Date: 2/3/11

ATTEST:
By: _____________________________
  Sandra Couzzo, CMC, City Clerk
Date: 2/8/11

(SEAL)
By: _____________________________
  Caryn Gardner-Young, City Manager
Date: 2/8/11

Approved as to form and
Legal Sufficiency:

By: _____________________________
  Andrew S. Maurodis, City Attorney
Date: 2/3/11

Contract/Parkland Fifth Amendment 11-9-10