

BOARD OF COUNTY COMMISSIONERS

DATE: July 9, 2013
AGENDA ITEM NO. 19

Consent Agenda ☒

Regular Agenda ☐

Public Hearing ☐

County Administrator's Signature 

Subject:

First Amendment to the Interlocal Agreement between Pinellas County and the Clerk of the Circuit Court, Property Appraiser, Sheriff's Office, Supervisor of Elections, Tax Collector, Chief Judge of the Sixth Judicial Court, Public Defender of the Sixth Judicial Court and the State Attorney of the Sixth Judicial Court, collectively referred to as the "Constitutional Officers" for the ability to terminate participation and withdraw from the agreement by any party and the ability to resign as a Board Member by any Constitutional Officer with Thirty (30) days written notice.

Department:

Business Technology Services

Staff Member Responsible:

Jim Russell, Interim Executive Director 

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS (BOARD) APPROVE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE CONSTITUTIONAL OFFICERS FOR THE ABILITY TO TERMINATE PARTICIPATION AND WITHDRAW FROM THE AGREEMENT AND THE ABILITY TO RESIGN AS A BOARD MEMBER BY ANY CONSTITUTIONAL OFFICER WITH THIRTY (30) DAYS WRITTEN NOTICE.

IT IS FURTHER RECOMMENDED THAT UPON APPROVAL BY THE BOARD, THE CHAIRMAN BE AUTHORIZED TO SIGN THE AGREEMENT AND THE CLERK TO ATTEST.

Summary Explanation/Background:

On July 1, 2008, the parties previously entered into an Interlocal Agreement establishing the Pinellas County Business Technology Services Board as an administrative entity to review and set policy for common technology and communications issues and expenditures, to facilitate the economic and effective provisions of business technology services and to support the operations of the County and Constitutional Officers.

Section 12 of the Interlocal Agreement has been amended to provide a process for the County and any Constitutional Officer to withdraw from participation in interlocal technology under the direction of the Board and establishes an alternative to withdrawing from the Agreement that would permit a Constitutional Officer to resign as a member of the Board, while continuing to participate in Business Technology Services programs and services.

All other terms, conditions and provisions of the Agreement will remain in full force and effect. All of the Constitutional Officers have executed the first amendment to the interlocal agreement.

Fiscal Impact/Cost/Revenue Summary:

N/A.

Exhibits/Attachments Attached:

Contract Review Transmittal Slip
First Amendment To The Interlocal Agreement




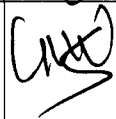
NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP

PROJECT: First Amendment To The Interlocal Agreement	
CONTRACT NO.:	ESTIMATED EXPENDITURE / REVENUE: \$0.00 (Circle or underline appropriate choice above.)

In accordance with Contract Administration and its Review Process, the attached documents are submitted for your review and comment. Please complete this Non-Purchasing Contract Review Transmittal Slip below with your assessment, and **forward to the next Review Authority on the list, skipping any authority marked "N/A."** Indicate suggested changes by noting those in "Comments" column, or by revising, in RED, the appropriate section(s) of the document(s) to reflect the exact wording of the desired change(s).

OTHER SPECIFICS RELATING TO THE CONTRACT:

This is the 1st Amendment To The Interlocal Agreement between Pinellas County and its constitutional officers.

REVIEW SEQUENCE	DATE	INITIAL/ SIGNATURE	COMMENTS (IF ANY)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
Originator: BTS Jim Russell	5/29/13			
Risk Mgmt: Virginia Holscher (Tiffany Makras) <i>Rec'd 5/30</i>	5/30/13	red	Public Entity to Public Entity	
Finance:** Claretha Harris (Cassandra Williams)	6/4/13	CBW		
OMB:** Eric Naughton (Bill Berger)	6/4/13	EN		
Legal: Dennis Long	6/4/13			
Assistant County Administrator Mark Woodard	6/5/13			

Please return to Tami Gray, Exec Admin Secy to Jim Russell By 6/2/13.
All inquiries should be made to Tami Gray ext. 4-2678.

** See Contract Review Process

Revised 5.13.13

**FIRST AMENDMENT TO THE
INTERLOCAL AGREEMENT**

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT is made and entered into this ____ day of _____ 2013, by and between PINELLAS COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County," and the PINELLAS COUNTY CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY PROPERTY APPRAISER, PINELLAS COUNTY SHERIFF, PINELLAS COUNTY SUPERVISOR OF ELECTIONS, PINELLAS COUNTY TAX COLLECTOR, THE CHIEF JUDGE OF THE SIXTH JUDICIAL CIRCUIT, THE PUBLIC DEFENDER OF THE SIXTH JUDICIAL CIRCUIT and THE STATE ATTORNEY OF THE SIXTH JUDICIAL CIRCUIT, hereinafter collectively referred to as the "Constitutional Officers."

WITNESSETH:

WHEREAS, the parties previously entered into an Interlocal Agreement dated July 1, 2008 ("Interlocal"), establishing the Pinellas County Business Technology Services Board ("Board") as an administrative entity to review and set policy for common technology and communications issues and expenditures, to facilitate the economic and effective provisions of business technology services, and to support the operations of the County and Constitutional Officers through the oversight of the Pinellas County Business Technology Services Department ("Department"); and

WHEREAS, Section 12 of the Interlocal provides a process for the County and any Constitutional Officer to withdraw from participation in Interlocal technology and communication programs and services provided by the Department under the direction of the Board; and

WHEREAS, the Board desires to establish an alternative to withdrawing from the Interlocal for the Constitutional Officers that would permit a Constitutional Officer to resign as a member of the Board, while continuing to participate in Business Technology Service ("BTS") programs and services, including but not limited to Board committees and Service-Level Agreements, as provided herein.

NOW, THEREFORE, in consideration of the mutual promises provided herein, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Section 12 of the Interlocal is hereby amended to provide as follows:
 12. Withdrawal/Resignation
 - (A) Any party hereto may terminate its participation in the Agreement by notifying the other parties in writing by July 1st of any calendar year of its intention to withdraw from the Agreement at the end of the then current fiscal year.
 - (B) Any Constitutional Officer may resign as a Board member by providing written notice to the Board of at least thirty (30) days of the resignation to the Board. Upon the effective date of the resignation, all rights of the resigning member related to Board membership as defined in Section 2 of the Interlocal are relinquished and shall terminate. Provided, however, the Constitutional Officer may continue to participate in BTS programs and services, Board committees, and Service-Level Agreements. The resigning Constitutional Officer may be reinstated to Board membership by providing written notice to the Board, and said member shall be reinstated to the Board with full power and authority to act as a Board member without further Board action effective on the date of the next ensuing Board meeting or the effective date of the notice, whichever occurs first. Any subsequent resignation by a Board member that has previously resigned and been reinstated must be accepted by a majority of the remaining Board members at a regular or special Board meeting to be effective.
2. This Amendment shall take effect upon the date signed by the County.
3. Except as amended herein, all terms, conditions, and provisions of the Interlocal shall remain in full force and effect.

(Signature Pages Follow)

IN WITNESS WHEREOF, the parties to this Amendment have caused their names to be affixed hereto by the proper officers thereto.

ATTEST:
KEN BURKE, Clerk of Court

PINELLAS COUNTY, FLORIDA,
by and through its Board of County Commissioners

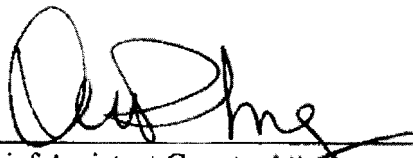
By: _____
Deputy Clerk

By: _____
Chairman


Date: _____

Date: _____

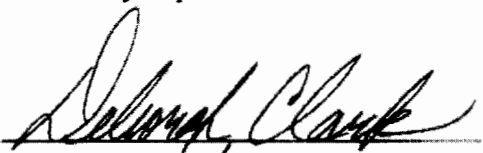
APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By:  _____
Chief Assistant County Attorney

KEN BURKE
Pinellas County Clerk of the Circuit Court

By: 
Date: 5/6/13

DEBORAH B. CLARK
Pinellas County Supervisor of Elections

By: 
Date: 5/1/13

BOB DILLINGER
Public Defender of the Sixth Judicial Circuit

By: Bob Dillinger
Date: 5-1-13

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PAM DUBOV
Pinellas County Property Appraiser

By: Pam Dubov

Date: 30 Apr 13

BOB GUALTIERI
Pinellas County Sheriff

By: _____

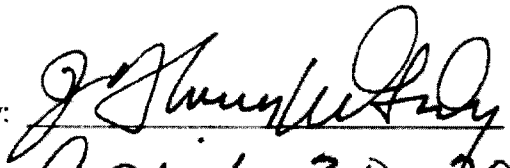
Date: 4/30/13

BERNIE McCABE
State Attorney of the Sixth Judicial Circuit

By: Bernie McCabe

Date: 5/2/13

J. THOMAS McGRADY
Chief Judge, Sixth Judicial Circuit

By: 
Date: April 30, 2013

DIANE NELSON
Pinellas County Tax Collector

By: *Diane Nelson*
Date: 4/25/13