

INTERLOCAL AGREEMENT

This Agreement, made this 28th day of February, 2017, between Pinellas County, a political subdivision of the State of Florida (hereinafter "County"), and the East Lake Tarpon Special Fire Control District, an independent special fire district, (hereinafter "Funds Recipient").

Recitals

WHEREAS, Pinellas County received funds through a settlement ("Settlement") with parties responsible for the Deepwater Horizon accident which affected the Gulf of Mexico and communities in the region including Pinellas County; and

WHEREAS, County has identified and approved projects intended to benefit the public or serves a public benefit that the Board of County Commissioners intends to be enhanced with the funding from the Settlement; and

WHEREAS, on December 13, 2016, the Board of County Commissioners approved a resolution delegating to the County Administrator the authority to enter into agreements with entities necessary to effectuate the approved projects within the amounts approved by the Board of County Commissioners for each project; and

WHEREAS, Funds Recipient is one of the entities necessary to effectuate the Water Rescue program approved by the Board of County Commissioners; and

NOW THEREFORE, the Funds Recipient agrees, in exchange for the funds to be provided by the County, and as further described herein to enhance and improve countywide water rescue capabilities in accordance with the terms as described below.

1. County agrees to provide up to \$150,000.00 to Funds Recipient upon execution of this agreement and receipt of purchase order(s) or equivalent for all items subject to this agreement.
2. Funds Recipient agrees to purchase one (1) 20ft. x 8ft. HDX airboat with reinforced hull, 615HP engine, 9ft. cabin, Garmin VHF radio suite, USCG approved navigational lights, 500 lb. jib crane, heavy-duty tilt trailer, and any rescue equipment using the County funding.
3. Funds Recipient will own, maintain and operate this unit for the safe useful life of the watercraft at its own expense.
4. District will respond to water rescue emergencies and to assist citizens on Lake Tarpon as well as providing closest unit coverage anywhere in Pinellas County in accordance with the automatic aid agreement. (hereinafter "Project").
5. Funds Recipient will purchase and implement the marine rescue unit during County fiscal year 2016-2017 (October 1, 2016 – September 30, 2017). In the event the Funds Recipient does not purchase and implement the Project by September 30, 2017, the entire amount of funds supplied under Paragraph 1 will be returned to the County by October 31, 2017.
6. Funds Recipient will provide proof of payment for all items subject to this agreement and return, by October 31, 2017, any funds provided by County pursuant to #1 above that exceed the actual costs associated with the total for all items subject to this agreement.

7. Funds Recipient is an independent party and is not an agent of the County.
8. Indemnification: To the greatest extent of applicable law, Funds Recipient agrees to indemnify and defend County, its officers, and employees, against all claims of any nature whatsoever arising out of the Project. Nothing herein is intended to serve as a waiver of sovereign immunity by either the County or the Funds Recipient. Nothing herein shall be construed as consent by the County or Funds Recipient to be sued by third parties in any matter arising out of this Agreement.
9. Funds Recipient shall, in all aspects of the Project, ensure that Funds Recipient, its employees, agents or contractors shall be in compliance with all applicable laws.

IN WITNESS WHEREOF the parties hereto, by and through their undersigned authorized officers have caused this Agreement to be executed on this 28th day of February, 2017.

WITNESS:

PINELLAS COUNTY, FLORIDA
by and through its County Administrator

Della Klug

Mark S. Woodard
County Administrator

APPROVED AS TO FORM

By:

Office of the County Attorney

AT Large

East Lake Tarpon Special Fire Control District:

Paul D. Breen
Chairman

James D. Sample
Secretary

ATTEST:

Tom McQueen
Vice Chair

Treasurer