



# Pinellas County

## Legislation Details (With Text)

**File #:** 19-1235A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 7/19/2019      **In control:** Fire Protection Authority

**On agenda:** 9/24/2019      **Final action:** 9/24/2019

**Title:** Tierra Verde Fire Protection Services Agreement with the Lealman Special Fire Control District.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE Fire Protection Services Agreement with Lealman Fire District, 2. 2019 Fire Protection Services Agreement - Lealman for Tierra Verde - SIGNED, 3. OMB\_Delegated\_Item\_Review\_19-1235A(revised), 4. 2014 Fire Protection Services Extension - Lealman for Tierra Verde, 5. 2009 Tierra Verde Fire Protection Agreement

Date	Ver.	Action By	Action	Result
9/24/2019	1	Board of County Commissioners	approved as amended	Pass

**Subject:**

Tierra Verde Fire Protection Services Agreement with the Lealman Special Fire Control District.

**Recommended Action:**

Approval of the Fire Protection Services Agreement with the Lealman Special Fire Control District (Contractor) for Tierra Verde Fire District.

- The Contractor currently contracts with the County to provide fire protection and suppression services to the Tierra Verde Fire District.
- The Contractor and the County wish to enter into a new agreement for five years with an expiration of September 30, 2024.

Authorize the Chairman to sign and the Clerk of the Court to attest.

**Strategic Plan:**

Ensure Public Health, Safety, and Welfare

2.1 Provide planning, coordination, prevention, and protective services to ensure a safe and secure community

Deliver First Class Services to the Public and Our Customers

5.1 Maximize partner relationships and public outreach

5.3 Ensure effective and efficient delivery of county services and support

**Summary:**

The Contractor and the County wish to enter into a Fire Protection Services Agreement for the Tierra Verde Fire District for five years with a new expiration of September 30, 2024.

**Background Information:**

The Contractor currently contracts with the County to provide fire protection and suppression services to the Tierra Verde Fire District. The current agreement between the Contractor and the County is dated August 18, 2009 and an extension for an additional five-year term was dated June 10, 2014 and is set to expire September 30, 2019.

The Contractor and the Tierra Verde Community Association have requested a five-year term for the new agreement. The County Attorney has expressed concern that Florida Law does not clearly state that the Contractor may operate outside of its district boundaries. The Contractor and its Attorneys disagree and have provided two legal opinions expressing that they are able to legally contract to provide the services.

The Contractor has offered indemnification of the Authority, which is contained in the agreement. Further, as proposed, the Authority and Contractor would work jointly with the local legislative delegation to request a special act to clarify that the Contractor may provide contracted services outside of their district. In the intervening time it is essential to ensure uninterrupted Fire Protection Services to the Tierra Verde Fire District.

Tierra Verde Fire District is Pinellas County's dependent district. As such the County owns the Fire Station, Fire Engine, Rescue Unit and all equipment. The County controls all funds and sets the millage. The Contractor provides staffing to operate the Fire Engine and Rescue Unit through this agreement. The County pays for the full cost of staffing utilizing Tierra Verde Fire District funds. Each year the Contractor's actual expenses are audited, and unspent funds returned to the Tierra Verde Fire District fund. There is no cost shifting between the Lealman Fire District and the Tierra Verde Fire District. There is an appropriate administrative overhead cost in the Contractor's budget which covers a cost allocation for the proportionate share of administrative services.

**Fiscal Impact:**

This agreement for \$1,774,963.00 is consistent with the request included in the FY20 Tentative Budget and the multi-year financial forecast for the Tierra Verde Fire District fund.

**Staff Member Responsible:**

James G. Fogarty, Director, Safety and Emergency Services

**Partners:**

Lealman Special Fire Control District - Serving the Tierra Verde Fire District

**Attachments:**

2019 Fire Protection Services Agreement  
2014 Extension of Tierra Verde Fire Protection Agreement  
2009 Tierra Verde Fire Protection Agreement