

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20060275

1. REQUESTED MOTION:

ACTION REQUESTED: Approve an Interlocal Agreement between Lee County and North Ft Myers Fire Control and Rescue District.

WHY ACTION IS NECESSARY: Interlocal agreements must be approved by the Board of County Commissioners.

WHAT ACTION ACCOMPLISHES: Creates a partnership with North Ft Myers Fire Control and Rescue District to provide staff to operate emergency public shelter(s).

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: 7

C7B

3. MEETING DATE:

03-28-2006

4. AGENDA:

5. REQUIREMENT/PURPOSE:
(Specify)

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT Independent
- C. DIVISION Public Safety
- BY: John D. Wilson, Director

7. BACKGROUND:

To help address the county's hurricane deficit, Lee County established an Adopt-A-Shelter Program. This program promotes both public and private partnerships in providing basic shelter management services. In the attached agreement, North Ft. Myers Fire Control and Rescue District agrees to furnish the necessary personnel to operate a county emergency public shelter. In return, the fire district's employees will be trained in shelter management operations and their family members can stay at the designated facility or like facility for shelter purposes.

Attachment: Four (4) Copies of Agreement

8. MANAGEMENT RECOMMENDATIONS: Staff recommends approval.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <u>Admin 3/16</u>				G County Manager
					OA	OM	Risk	GC	
<u>3/3/06</u>	<u>3/3/06</u>	<u>NA</u>		<u>3/3/06</u>	<u>3/3/06</u>	<u>3/3/06</u>	<u>3/3/06</u>	<u>3/3/06</u>	<u>HS 3/16/06</u>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: <u>3/16/06</u>
Time: <u>1:30pm</u>
Forwarded To: <u>Admin/10/06</u>

RECEIVED BY COUNTY ADMIN: <u>ML</u>
<u>3-10-06</u>
<u>2:45</u>
COUNTY ADMIN FORWARDED TO: <u>PL</u>
<u>3/16/06</u>
<u>2:30pm</u>

**STATEMENT OF AGREEMENT
CONCERNING THE ADOPT-A-SHELTER PROGRAM
FOR EMERGENCY RELIEF EFFORTS**

THIS AGREEMENT is entered into this _____ day of _____, by and between the North Ft Myers Fire Control and Rescue District whose address is 42 Willis Road, North Ft Myers, FL. 33917, herein referred to as FIRE DEPARTMENT in association with North Ft Myers Community Emergency Response Team Association whose address is 2201 Tamiami Trail North, North Ft. Myers, FL.,33917, herein referred to as the North Ft Myers CERT and the Board of County Commissioners of Lee County, Florida, a political subdivision of the State of Florida, herein referred to as the COUNTY.

WHEREAS, the COUNTY has established an Adopt-A-Shelter Program, which provides an opportunity for both the public and private sectors to join in a partnership for providing basic shelter operations; and

WHEREAS, the COUNTY has evaluated and designated North Ft Myers Academy of the Arts as a shelter under the County for shelter management purposes; and

WHEREAS, the COUNTY has established a program to provide a basic shelter operation at North Ft Myers Academy of the Arts whose address is 1856 Arts Way, North Ft Myers, FL.

WHEREAS, the FIRE DEPARTMENT and the COUNTY clearly understand that the site identified in this Agreement under the Adopt-A-Shelter program will only become activated as a shelter when designated, by mutual consent of the COUNTY and North Ft. Myers Fire Control and Rescue District.

NOW, THEREFORE, it is mutually agreed between the parties as follows:

1. The COUNTY, based upon the nature of the emergency involved, shall inform the FIRE

DEPARTMENT'S authorized representative of the need to activate the County emergency shelter assigned and the intended duration of such as soon as practical. The following persons shall be the parties representative for purposes of the giving of notice. See Appendix A.

2. In accordance with F.S. 440, volunteers (uncompensated individuals) are covered by County workers compensation while providing services in a designated County emergency public shelter during, or in preparation for, a declared emergency.
3. The FIRE DEPARTMENT shall be responsible for the negligence of their own employees, subject to the limitations found in F.S. Section 768.28, and shall indemnify the other party for any negligence caused by their employee.
4. The CERT Association will provide shelter managers to staff the facility until the shelter is officially closed by the COUNTY. The managers and staff may also be FIRE DEPARTMENT employees or family members who have received shelter operation training from the COUNTY.
5. This Agreement contains the entire agreement between the parties hereto and there are no promises, agreements, conditions, undertaking or warranties or representatives, oral or written, express or implied between them except as set forth herein.
6. No change or modification to this Agreement shall be effective unless the same is in writing and signed by all parties hereto.
7. This Agreement must be construed and its performance enforced under Florida law in a court of competent jurisdiction. This Agreement shall be governed by, interpreted, and construed in accordance with the laws of the State of Florida

IN WITNESS THEREOF, the parties hereto have entered this Agreement on the date first above.

SIGNATURES TO THE AGREEMENT

NORTH FORT MYERS FIRE CONTROL
AND RESCUE DISTRICT

By: Marie Hagan
Witness

By: [Signature] Chief

By: Marie Hagan
Witness

By: Jeanne Busak
C.E.R.T. President
NORTH FT MYERS C.E.R.T.

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

By: _____

ATTEST:
CHARLIE GREEN, CLERK

APPROVED AS TO FORM:

By: _____
Deputy Clerk

By: _____
Office of the County Attorney

APPENDIX A
ADOPT-A-SHELTER AGREEMENT
CONTACT LIST OF AUTHORIZED REPRESENTATIVES

North Fort Myers Fire Control and Rescue District

42 Willis Rd. N. Fort Myers, FL.

Primary Contact Name: TERRY PYE

Primary Contact Number: 239-997-8654

Emergency Contact Name: MARIE HABAN

Emergency Contact Phone: 239-731-1931

North Fort Myers CERT

Primary Contact Name: JEANNE BASAK

Primary Contact Phone: 239-652-6777

Emergency Contact Name: MARIE HABAN

Emergency Contact Phone: 239-731-1931