

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. **20040930**

1. REQUESTED MOTION:

ACTION REQUESTED: Approve an Interlocal Agreement between Lee County and North Fort Myers Fire Control and Rescue Service District to Adopt-A-Shelter for Emergency Relief Efforts for a period of five (5) years.

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

WHAT ACTION ACCOMPLISHES: Creates a partnership with North Fort Myers Fire Control and Rescue Service District to provide staff to operate North Fort Myers Academy of the Arts located at 1856 Arts Way, North Fort Myers for emergency relief and recovery efforts.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:

C7E

3. MEETING DATE:

08-03-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER *Emergency Request*
- B. DEPARTMENT *Public Safety*
- C. DIVISION *Public Safety*
- BY: John D. Wilson, Director *JW*

7. BACKGROUND:

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

Attachment—Five Interlocal Agreements

8. MANAGEMENT RECOMMENDATIONS: Staff recommends approval of the Interlocal Agreement. It will assist the county's Emergency Management Program in providing adequate personnel necessary to activate County managed emergency public shelters.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 9/19/04	<i>[Signature]</i>			<i>[Signature]</i> 7/21/04	<i>[Signature]</i> 7/21/04	<i>[Signature]</i> 7/21/04	<i>[Signature]</i> 7/21/04	<i>[Signature]</i> 7/21/04	<i>[Signature]</i> 7/22/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 7/21/04
Time: 11:20 AM
Forwarded To: Budget
7/21/04 2:55 PM

RECEIVED BY
COUNTY ADMIN: *[Signature]*
7/21/04
3:20 PM SLT
COUNTY ADMIN
FORWARDED TO: *[Signature]*
7-21-04
11 AM

**INTERLOCAL AGREEMENT
ADOPT -A-SHELTER PROGRAM
FOR EMERGENCY RELIEF EFFORTS**

THIS AGREEMENT is entered into this ____ day of _____, 2004 by and between the North Fort Myers Fire Control and Rescue Service District whose address is 42 Willis Road, North Fort Myers, Florida, herein referred to as the FIRE DISTRICT in association with The North Fort Myers Community Emergency Response Team, herein referred to as 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 the public and private sectors to join in a partnership for providing basic shelter operations; and

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

WHEREAS, the COUNTY has established a program to provide a basic shelter operation at North Fort Myers Academy of the Arts whose address is 1856 Arts Way, North Fort Myers, Florida to be operated by the FIRE DISTRICT and CERT.

WHEREAS, the FIRE DISTRICT and CERT clearly understand that the public school 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 the School 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 DISTRICT and CERT authorized representatives of the need to activate the County emergency shelter. Contact information for the parties' representatives is contained in Appendix "A" attached.
2. In accordance with Florida Statute 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 DISTRICT and CERT shall be responsible for the negligence of their own shelter staff members, subject to the limitations found in Florida Statute Sections 768.28 and 252.51, and shall indemnify the other party for any negligence caused by their employee.

4. In the event this shelter is activated, Lee County Emergency Management will provide necessary equipment and supplies to operate the facility as an emergency shelter.
5. The FIRE DISTRICT and CERT will provide a shelter manager and a minimum of 8 personnel per 8 to 12 hour shift to supplement school district personnel with shelter operations until the shelter is officially closed by the COUNTY.
6. 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.
7. No change or modification to this Agreement shall be effective unless the same is in writing and signed by all parties hereto.
8. This Agreement must be construed and its performance enforced under Florida law in a court of competent jurisdiction. The 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
SERVICE DISTRICT

Sherry Young
First Witness

By: [Signature]
Fire Chief

Mendi Zamorailla
Second Witness

NORTH FORT MYERS
COMMUNITY EMERGENCY
RESPONSE TEAM

Sherry Young
First Witness

[Signature]
CERT Chief

Mendi Zamorailla
Second Witness

BOARD OF COUNTY
COMMISSIONERS OF
LEE COUNTY, FLORIDA

By: _____

ATTEST:
CHARLIE GREEN, CLERK

APPROVED AS TO FORM

Deputy Clerk

By: _____
Office of The County Attorney