

Meeting Date
October 10, 2017



AGENDA	
Section	Consent
Item No.	<i>II.A.2</i>

AGENDA REPORT

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Amendment to the Interlocal Agreement with Partnering Municipalities for Stormwater Outreach
DEPT/OFFICE:	Natural Resources Management Department

Requested Action:

It is requested that the Board: 1) authorize the Chairman to execute an Amendment to the Interlocal Agreement with partnering Municipalities for stormwater outreach; 2) authorize Purchasing Services to Request Proposals for the Education and Outreach Program and; 3) authorize necessary budget change requests.

Summary Explanation & Background:

Brevard County and Municipalities are required under the National Pollutant Discharge Elimination System (NPDES) permit program to provide education and outreach on stormwater pollution. Permit holders who convey stormwater to the Indian River Lagoon must implement a Basin Management Action Plan (BMAP) to reduce stormwater pollution. Outreach is eligible for BMAP pollution reduction credits.

Partnering on education, outreach and marketing provides consistency across jurisdictions and supports a more robust communication strategy. It further increases the visibility of the message, providing more effective communication to the residents and businesses about pollution prevention to the Lagoon. The County and Municipalities have previously partnered as a consortium through an interlocal agreement to share costs of a joint stormwater education and outreach program known as "Blue Life." Brevard County collects contributed funds from municipal partners and funds Brevard Zoo as Program Administrator. Brevard Zoo integrates Blue Life principles into their outreach programs, schedules and purchases multimedia communications and contracts with Good Education Solutions to conduct program activities and civic outreach in accordance with deliverables selected by individual partners.

The Interlocal Agreement entered into by nine local governments to jointly fund Blue Life renews annually unless the Consortium Lead, the Natural Resources Management Department (NRM), notifies the consortium partners, 30 days prior to any changes to the agreement. During the annual partners meeting, the Consortium Lead and Partners approved a rate increase from \$0.30 per person to \$0.35 and an update of the population data used to calculate each municipality's contribution to the program budget. Using updated population data for the current partnership members and a \$0.35 per person rate, municipal revenues would contribute \$56,741 annually to funding the Blue Life program. Brevard County's cost share was increase proportionately to \$42,050 per year.

In addition, wording in the Interlocal Agreement is amended to facilitate collaboration and synergy between on-going Blue Life outreach, project specific outreach associated with stormwater project grants, and outreach recommended in the Save Our Indian River Lagoon Project Plan. Therefore, the NRM Department requests permission to Request Proposals and Qualifications for 1) outreach funded by the new Save Our Indian River Lagoon Trust Fund; 2) outreach required by stormwater grants; and 3) NPDES mandated outreach.

Fiscal Impact: FY 16-17 No impact

FY 17-18: \$98,790.95, (\$42,050.00 from Stormwater Fund 1110, \$56,740.95 from Municipalities)

Name: Carolina Alvarez or Virginia Barker; **Phone:** (321) 633-2016

Clerk to the Board instruction: **Execute 2 originals of the attached Interlocal Agreement and return one original to NRM**

Exhibits Attached: Interlocal Agreement Amendment with Municipalities

Contract /Agreement (If attached):		Reviewed by County Attorney		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
County Manager's Office	Assistant County Manager	Department Director/Extension				
Frank Abbate <i>[Signature]</i>	John Denninghoff <i>[Signature]</i>	Virginia Barker <i>[Signature]</i> Virginia Barker/ext 52016				

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT FORM

SECTION I

The following information must be completed on all new contracts submitted to the Board.

1. Contractor: Eduacation and Outreach Interlocal	
2. Fund/Account #: 260070	Division Name: Natural Resources Management Department
4. Contract Description: Interlocal Agreement	
5. Contract Monitor: Carolina Alvarez x56472	6. Mail Stop #: 81
7. Dept./Office Director: Virginia Barker, Director	8. Contract Type: Agreement
ACTION DATE: 09/26/2017	ACTION REQUIREMENT: review for approval for the Board meeting on October 10.

SECTION II

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	<u>X</u>	<u> </u>	<u>CA</u>	<u>9/26/2017</u>
Risk Management	<u> </u>	<u> </u>	<u> </u>	<u> </u>
County Attorney	<u>X</u>	<u> </u>	<u>CA</u>	<u>9/27/17</u>

If any office denies approval, the package will be returned immediately to the User Agency.

NOTE: *This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will return the Initial Contract Form to department for contract to be entered into the Contract Management System. See AO-29 for additional information.*

Please call Carolina Alvarez
X56472 when ready for pickup
Or email form to Carolina.alvarez@brevardfl.gov.



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

October 11, 2017

MEMORANDUM

TO: Virginia Barker, Natural Resources Management Director Attn: Carolina Alvarez

RE: Item II.A.2., Amendment to Interlocal Agreement with Partnering Municipalities for Stormwater Outreach

The Board of County Commissioners, in regular session on October 10, 2017, approved and executed the Amendment to Interlocal Agreement with Partnering Municipalities for stormwater outreach; authorized Purchasing Services to provide Request for Proposals (RFP) for the Education and Outreach Program; and authorized any necessary budget change requests. Enclosed are two executed Agreements for your action.

Upon execution by all Partnering Municipalities, please provide a fully-executed Agreement to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

cc: Contracts Administration
Finance
Budget

**SECOND AMENDMENT TO EXISTING INTERLOCAL AGREEMENT
FOR STORMWATER EDUCATION AND OUTREACH**

THIS AMENDMENT is made and entered into this 10 day of October 2017, by and between, the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA (hereinafter referred to as "County") and the CITY OF CAPE CANAVERAL ("Cape Canaveral"), the CITY OF COCOA ("Cocoa"), the CITY OF COCOA BEACH ("Cocoa Beach"), the TOWN OF GRANT-VALKARIA ("Grant-Valkaria"), the CITY OF INDIAN HARBOUR BEACH ("Indian Harbour Beach"), the TOWN OF MALABAR ("Malabar"), the CITY OF MELBOURNE ("Melbourne"), the CITY OF SATELLITE BEACH ("Satellite Beach"), and the CITY OF WEST MELBOURNE ("West Melbourne") (collectively the "Municipalities").

CFN 2018155855, OR BK 8210 PAGE 2624,
Recorded 07/12/2018 at 03:23 PM, Scott Ellis, Clerk of Courts,
Brevard County

WITNESSETH: # Pgs:14

WHEREAS, the parties hereto previously entered into Agreement on November 1st, 2011 for stormwater education and public outreach and amended the Agreement on December 11, 2012; and

WHEREAS, the Town of Indialantic no longer participates in this Agreement; and

WHEREAS, the parties hereto desire to amend the terms of said Agreement: Section 5. Allocation of Costs, Section 6. Timetable of Payment, Section 8. Administration of the Education Contract, Section 9. Contract and Exhibit A.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, the parties hereby agree, as follows:

1. Section 5. ALLOCATION OF COSTS. a. Program Costs is deleted and replaced with:

The cost for the Education Program will be paid in full by the County. The Municipalities agree to reimburse the County in accordance with the funding requirement set forth in the Education Program (the "Contribution") and subject to paragraph 7 below. See Amended Exhibit A, Section V. Funding. The annual Contribution for each Municipality was calculated using a charge of \$0.35 per person based on 2014 municipal population data published by City-Data.com. The net cost contributed by the County, after reimbursement by the Municipalities is estimated to be \$42,050 per contract year. Failure of any Municipality to pay its respective Contribution shall not require the remaining Municipalities to be responsible for paying any portion of the payment that was due from the non-paying Municipality.

2. Section 6. TIMETABLE OF PAYMENT, is deleted and replaced with:

Annual contributions will be paid on or before October 15 of each year.

3. Section 8. ADMINISTRATION OF THE EDUCATION CONTRACT, is deleted and replaced with:

The County, through its Natural Resources Management Department and as the Consortium Lead for the Education Program, shall retain through a Request for Qualifications process, either a profit or non-profit corporation as the "Program Administrator" to provide the Education Program. The County shall insure that the participating Municipalities and the Education Program Administrator conduct informational working group conferences at least once a year. The County shall contract annually with the Program Administrator. The County shall compensate the Program Administrator quarterly. The Program Administrator shall submit monthly progress reports to the Consortium Lead and to the Municipalities. The County shall invoice the Municipalities quarterly.

4. Section 9. CONTRACT, is deleted and replaced with:

The County shall contract to provide Administration for the Education Program. In order to contract for project administration the County shall follow procurement policy specific to Cooperative Contracts and Contracts with Profit and Non-Profit Organizations as outlined in the Brevard County Purchasing Manual.

5. Exhibit A, Section V. Funding is deleted and replaced with Amended Exhibit A. Section V. Funding, attached and incorporated herein.
6. All terms and conditions of the previous Agreement and Amendment, incorporated herein by this reference, not inconsistent with the provisions of this Second Amendment, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date first above written.

ATTEST:

BY:



Scott Ellis, Clerk

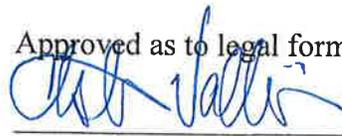
BREVARD COUNTY, FLORIDA



Curt Smith, Chairman

As approved by the Board on 10/10/17

Approved as to legal form and content



Christine Valliere, Assistant County Attorney

ATTEST:

Mia Lopez



CITY OF CAPE CANAVERAL

David L. Greene

David L. Greene, City Manager

105 Polk Ave.

Cape Canaveral, Florida 32920

As approved by the Council on 10/17/17

ATTEST:

Carie Mualy

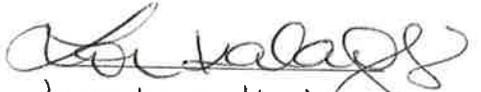


CITY OF COCOA

John Titkanich
John Titkanich, City Manager
65 Stone Street
Cocoa, Florida 32922

As approved by the Council on 12/12/17

ATTEST:


Doreana Kalawichy
City Clerk

CITY OF COCOA BEACH


James McKnight, City Manager
City Hall, 2 South Orlando Avenue
Cocoa Beach, Florida 32932
As approved by the Commission on 11/2/17



ATTEST:



Rebekah P.

TOWN OF GRANT-VALKARIA

Rick Hood

Town of Grant-Valkaria
Rick Hood, Town Administrator
1449 Valkaria Rd.
Grant-Valkaria, Florida 32950
As approved by the Council on Nov. 8, 2017

ATTEST:

Sue Frank



CITY OF INDIAN HARBOUR BEACH

Mark Ryan

Mark Ryan, City Manager
2055 South Patrick Drive
Indian Harbour Beach, FL 32937

As approved by the Council on

N/A
Not Required

ATTEST:

Doug Foyt

TOWN OF MALABAR

Doug Foyt

Doug Foyt, Town Administrator

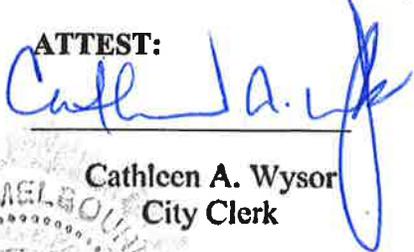
2725 Malabar Road

Malabar, Florida 32950

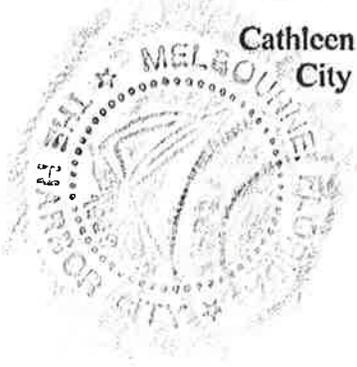
As approved by the Council on 3/5/2018



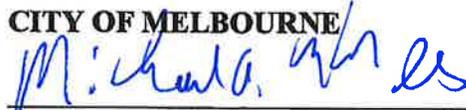
ATTEST:



Cathleen A. Wysor
City Clerk



CITY OF MELBOURNE



Michael A. McNees, City Manager
City Hall

900 East Strawbridge Avenue
Melbourne, Florida 32901

As approved by the Council on 10/10/2017

ATTEST:



LEONOR OLEXA, CMC, CITY CLERK



CITY OF SATELLITE BEACH



Courtney H. Barker, City Manager
565 Cassia Boulevard
Satellite Beach, Florida 32937
As approved by the Council on 10/4/17

ATTEST:

Christine D. Pennington
Acting City Clerk



CITY OF WEST MELBOURNE

Scott Morgan

Scott Morgan, City Manager
2240 Minton Road - Second Floor
West Melbourne, Florida 32904

As approved by the Council on October 17, 2017

AMENDED EXHIBIT A
SECTION V. FUNDING

		FUNDING REQUIREMENTS	DELIVERABLE POINTS
CONSORTIUM PARTNERS		2014 POPULATION	\$0.35/ Person
Cape Canaveral	10,022	\$3,507.70	25
Cocoa	17,678	\$6,187.30	43
Cocoa Beach	11,131	\$3,895.85	29
Grant-Valkaria	3,916	\$1,370.60	10
Indian Harbour Beach	8,393	\$2,937.55	20
Malabar	2,765	\$967.75	7
Melbourne	78,088	\$27,330.80	188
Satellite Beach	10,290	\$3,601.50	29
West Melbourne	19,834	\$6,941.90	48
Brevard County		\$42,050.00	290
TOTAL		\$98,790.95	

AMENDED EXHIBIT A
SECTION V. FUNDING

DELIVERABLE	POINT VALUE
A. Adult Education Program	4 Points / Program
B. School Age Education Program	2 Points / Program
C. General Public Programs	4 Points / Program
D. Special Event Representation	8 Points / Event
E. Storm Drain Marking	2 Point / 50 Drains Marked
F. Alternative Programs, as requested	Points based on time and cost