

TAB 9



# City of Palmetto Agenda Item

**Meeting Date**

1/4/10

**Presenter:** Jim Freeman

**Department:** City Clerk

**Title:**

**Res. 10-01 Funding Agreement with Manatee County for Law Enforcement Vehicle Project  
Res. 10-02 Law Enforcement Vehicle Project Budget Amendment**

**PROBLEM:** Res 10-01 ratifies the Funding Agreement that was executed prior to City Commission approval. Res 10-02 amends the budget to accept the grant revenue for the purchase of the PD cruiser.

**BACKGROUND:** During the FY10 budget workshops, the Police Department reduced the number of cruisers by one in anticipation of this grant. Manatee County has received funds from FDLE through the Edward Byrne Memorial Justice Assistance Grant; Grant #2010-JAGC-MANA-1-4X-058. The grant between Manatee County and the City provides \$30,000 to purchase 1 police cruiser. All grant requirements will be maintained with the City as per the funding agreement and will be considered a federal grant for reporting.

Increase Revenue 001-337-2010-9010  
Increase Expense 001-701-6402-9010

**Budgeted Amount:** \$0.00    **Budget Page No(s):**    **Available Amount:** \$0.00    **Expenditure Amount:** \$30,000.00

**Additional Budgetary Information:** Budget Amendment attached to increase revenue 001-337-2010-9010 and expense 001-701-6402-9010

**Funding Source(s):** Byrne (JAG) Grant    **Sufficient Funds Available:**  Yes  No    **Budget Amendment Required:**  Yes  No    **Source:**

**City Attorney Reviewed:**  Yes  No  N/A    **Advisory Board Recommendation:**  For  Against  N/A    **Consistent With:**  Yes  No  N/A

**Potential Motion/Direction Requested:** Request for approval to execute the contract between Manatee County and the City and approve budget amendment to appropriate accounts.

**Staff Contact:** Cheryl Miller    Sr. Account Analyst    12-15-2009

**Attachments:**

**RESOLUTION 2010-01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, RATIFYING AND APPROVING THE FUNDING AGREEMENT BETWEEN MANATEE COUNTY AND THE CITY OF PALMETTO PERTAINING TO THE CITY OF PALMETTO LAW ENFORCEMENT VEHICLE PROJECT.**

**WHEREAS**, the City Commission has approved application for a grant entitled The City of Palmetto Law Enforcement Vehicle Project in the amount of \$30,000, effective October 1, 2009 through September 30, 2009; and

**WHEREAS**, the Agreement was executed inadvertently prior to City Commission approval; and

**WHEREAS**, execution of the Agreement is in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Palmetto, that

Section 1: The Funding Agreement Between Manatee County and The City of Palmetto, attached hereto as Exhibit A, is hereby ratified and approved.

Section 2: This Resolution shall become effective immediately upon its passage.

**PASSED AND DULY ADOPTED**, with a quorum present and voting, this 4th day of January, 2010.

CITY OF PALMETTO, FLORIDA, BY THE  
CITY COMMISSION OF THE CITY OF  
PALMETTO, FLORIDA

BY: \_\_\_\_\_  
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST: JAMES R. FREEMAN  
City Clerk

BY: \_\_\_\_\_  
City Clerk

FUNDING AGREEMENT  
BETWEEN MANATEE COUNTY AND  
THE CITY OF PALMETTO

THIS AGREEMENT is entered into by and between the County of Manatee, a political subdivision of the State of Florida, hereinafter referred to as "County", and the City of Palmetto, hereinafter referred to as "Recipient" and is for The City of Palmetto Law Enforcement Vehicle Project, hereinafter "Project", to be carried out with funding provided by the Florida Department of Law Enforcement (FDLE) through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

WHEREAS, the County is considered the applicant for the above noted Justice Assistance Grant (JAG) funds, and assumes the responsibility for these noted grant funds; and

WHEREAS, the Recipient is considered a co-applicant and assumes the responsibility for daily administration of the grant Project; and

WHEREAS, JAG funds received from FDLE through the Edward Byrne Memorial Justice Assistance Grant are committed for expenditure in Project activities that meet criteria for the grant; and

WHEREAS, the County has approved inclusion of the City of Palmetto Law Enforcement Vehicle Project in the County FDLE Edward Byrne Memorial Justice Assistance Grant application.

NOW, THEREFORE, the parties agree as follows:

1. This Agreement is in the amount of \$30,000 and is effective October 1, 2009 through September 30, 2010.
2. This Agreement shall be governed and construed in accordance with the United States Department of Justice (USDOJ), Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant Award Number 2010-JAGC-MANA-1-4X-058.
3. The County agrees as follows:
  - a. To retain funds in the amount of \$30,000 for the City of Palmetto Law Enforcement Vehicle Project; and
  - b. To distribute funds as identified in 3.a. above to the Recipient for Project purposes.

4. The Recipient agrees as follows:

- a. To comply with, and to conduct the Project in accordance with all conditions and requirements of the United States Department of Justice (USDOJ), Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant Award Number 2010-JAGC-MANA-1-4X-058.
- b. To complete the Project by September 30, 2010.
- c. To submit all Financial Reports, Program/Project Reports and other requested Reports to County within time frames required for grant compliance.
- d. To maintain accurate records of expenditures of grant funds and make such records available at all reasonable times for inspection, review or audit by the County or the Clerk of the Circuit Court.
- e. To keep such records for a period of at least three (3) years following the end of the grant period, and in the case of a dispute the records shall be kept until the Recipient receives notice from the County that it does not need to retain these records any longer.

5. The County and the Recipient both agree as follows:

- a. Grant funds will be distributed to Recipient, upon receipt and approval by the County of a Request submitted on Recipient letterhead, specifically identifying grant information as noted in Item Number 4.a. above, a Financial Report for the billing period, and a Program/Project Report substantiating activities which have occurred during the billing period. All Requests must be accompanied by sufficient supporting invoices and documentation to support pre-audit and post-audit review. Grant funds may be requested on a maximum monthly basis.
- b. The County shall not be liable to any person, firm or corporation that contracts with the Recipient to provide goods and services associated with the Program conducted with grant monies. Nor shall the County be liable to any person, firm, or corporation for claims against the Recipient or debts incurred by the Recipient. The Recipient, but only to the extent of and without waiving the restrictions of Section 768.28 Florida Statutes, agrees to indemnify and hold harmless the County from

claims, demands, liabilities and suits of any nature whatsoever arising out of, because of, or due to any act or failure to act by the Recipient, its agents or its employees resulting from the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by the undersigned officials, as duly authorized.

RECIPIENT

COUNTY

CITY OF PALMETTO

BOARD OF COUNTY COMMISSIONERS OF  
MANATEE COUNTY, FLORIDA

BY: Shirley Groover Bryant

BY: R. B. "Chips" Shore

TITLE: Mayor

TITLE: CHAIRMAN

DATE: 12-10-09

DATE: 12/15/09



ATTEST:

ATTEST: R. B. "CHIPS" SHORE  
CLERK OF THE CIRCUIT COURT

BY: H. Scott O. Tjelt

BY: Arsenio Romera  
DEPUTY CLERK