

**RESOLUTION R - 11-244**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING AN 800 MHz SYSTEM ACCESS AND MAINTENANCE FEE SCHEDULE; PROHIBITING SYSTEM ACCESS FOR NON-COMPLIANT USERS; AUTHORIZING DEVELOPMENT OF BASE MAINTENANCE STANDARDS AND A SERVICE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Manatee County owns and operates a land mobile trunked radio (800 MHz) system (the System) and holds related licenses from the Federal Communications Commission (FCC); and

**WHEREAS**, the County made, and continues to make, substantial financial investment in the System so as to enhance the public safety and welfare of the County's residents, businesses and visitors by providing effective, quality, reliable communication support services for the many governmental entities and operations, including public safety agencies, which rely on radio communications to provide their services; and

**WHEREAS**, the proper functioning of communication devices is essential to the efficient provision of communication support services to the community, and the County's FCC licenses require the County to ensure that the system is not used or accessed in a manner inconsistent with FCC regulations, including regulations concerning preventing signal interference with other frequencies; and

**WHEREAS**, in an effort to help recover some of the County's significant and ongoing investments in the System, the Board of County Commissioners adopted a series of resolutions, including R 95-161, R 96-74, R 97-58, R 98-288 and R 01-199, providing for terms and fees related to the use of the System by governmental agencies; and

**WHEREAS**, the current fee structure no longer works to meet the current and future financial stability of the System, and does not fairly and accurately reflect the true costs associated with access to the System; and

**WHEREAS**, the current somewhat informal System access rules and requirements should be more formalized and agreed to by all System users; and

**WHEREAS**, to address these shortcomings, and to help ensure the quality reliable and safe operation of the System in a more financially sound manner, the County Commission has determined

that a new fee schedule and related rules and standards should be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida, that:

1. The 800 MHz Radio System Access and Maintenance Fee Schedule attached hereto is hereby adopted, and shall be applied to all System users equally. To the extent the user is an agency or department of the County, the method of assessment and payment of the fees shall be determined by the County Administrator, in consultation with the Clerk of Court's Finance Director.
2. The Manatee County Public Safety Director, with oversight by the County Administrator and legal advice from the County Attorney, is authorized to develop, and from time to time revise, an 800 MHz Radio System Access, Service and Maintenance Agreement. The Agreement shall incorporate the fee schedule adopted herein, and shall set forth a detailed description of all of the services the County will provide System users, as well as any rules, procedures, technical standards, invoicing and payment procedures or other requirements the Public Safety Director determines are required to ensure the safe, efficient, effective, and legally compliant operation of the System, and the handheld radios, base units, mobiles, and consoles and other equipment which rely on the System. In developing and revising such standards, the Public Safety Director shall request input from the County's Information Technology staff, as well as relevant representatives of the various agencies using the System. The County Administrator or designee is authorized to execute such Agreements on behalf of the County.
3. The Public Safety Director shall deny access to the System for any agency which does not agree to execute an Agreement with the County, refuses to provide equipment-specific equipment identifiers, seeks to make use of antiquated, unsupported, incompatible or non-maintained handsets, base units or consoles, and/or which refuses to make payment for any fees due. For purposes of this Resolution, "non-maintained" equipment is equipment which has not been "touched" (preventative maintenance performed and examined for signal strength/clarity and similar performance standards) by the County's radio maintenance/service personnel at least once in the past 12 months.
4. All Manatee County departments which use the System are not required to execute an Agreement, but shall otherwise abide by the standards and requirements of the Agreement, including paying all applicable access, maintenance and repair fees that other non-County agencies must pay.
5. All System users (other than County departments) must be under an Agreement by October 1, 2012. In the interim transition period, all System users must still be assessed the Infrastructure Access Fee established herein, as well as all other fees

incurred for specific services provided to them. Preventative maintenance is required on all radios at least once each year to ensure proper operation.

6. The County Administrator shall periodically report to the County Commission on the operational, technical, and financial strength of the System, including providing periodic reviews of the County's long-range plans for System maintenance, upgrading, expansion and replacement.

**BE IT FURTHER RESOLVED** that any existing Resolution or portion thereof of the Board of County Commissioners which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

**BE IT FURTHER RESOLVED** that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, this 6<sup>th</sup> day of December 2011.

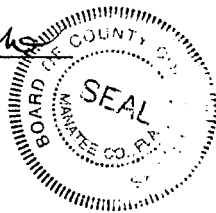
**BOARD OF COUNTY COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

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

By: *Susan P. Lomen*  
Deputy Clerk

By: \_\_\_\_\_

*Carol Whitmore*, Chairman



## SYSTEM ACCESS AND MAINTENANCE FEE SCHEDULE

Service	Fee
Annual Infrastructure Access Fee	\$85

**Payable by agencies under contract:**

Annual Portable Maintenance	\$96
Annual Base Station Maintenance	\$96
Annual Mobile Maintenance	\$96
Annual Console Maintenance	\$500
<u>Flat Rate Repair</u>	
Mobile Install	2.5 hour labor
Dual Head Mobile Install	4.5 hour labor
Dual Head Mobile Removal	1 hour labor
800 MHz Radio Preventative Maintenance	1 hour labor
Deprogram	0.5 hour labor

All hourly work is at \$75 per hour from 8:00am – 5:00pm weekdays (\$120 for off-hour on weekend/holiday work) plus cost of materials.

UHF/VHF repair work is time and materials.

Agencies under contract will receive guaranteed hourly time limit as listed under Flat Rate Repairs.