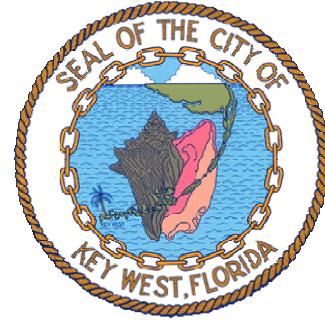


## Executive Summary



**To:** Jim Scholl, City Manager

**cc:** Jim Fitton, Director / Port & Transit

**From:** Myra Wittenberg, Manager / KWDoT

**Date:** April 24, 2011

**Subject:** Amending Resolution #08-091 - Inter Local Agreement (ILA) for Emergency Transportation Services - City of Key West Department of Transportation (CKWDoT) and Monroe County Emergency Management (COUNTY)

### PROJECT

This request is for amendment to Resolution 08-091, Agreement for Emergency Transportation Services between City of Key West Department of Transportation (CKWDoT) and Monroe County Emergency Management (COUNTY) - initiated by Monroe County Emergency Management - and recommended by CKWDoT as it relates to Section 3 / Term; and, Section 4 / Termination, as follows:

#### *Existing Language*

Section 3. Term.

This Agreement shall commence upon the date of execution by the last signatory of the Agreement, and shall run for three years from that date, unless terminated earlier under paragraph 4 of this Agreement .

#### *Revised and Recommended Language*

Section 3. Term

This Agreement shall remain in effect until terminated.

## **BACKGROUND / HISTORY**

In the past, the City has provided emergency transportation in and for Monroe County as to evacuation and return entry of residents, visitors and caged pets in accordance to Florida Statutes. What is now required is an executed agreement between the two governing bodies that provides for proper and adequate documentation and reimbursement of expenses associated with these services.

FEMA and the Department of Homeland Security require local government agencies implement disaster preparedness plans in advance which includes natural disasters as outlined in the Homeland Security Presidential Directive 8 (HSPD-8). HSPD-8 emphasizes expanding regional collaboration in order to prepare for an emergency. That is the purpose of this resolution and agreement.

As a result of prior history and events - on March 18, 2008, the Mayor and City Commission of the City of Key West approved Resolution 08-091, authorizing an Inter Local Agreement (ILA) for Emergency Transportation Services (EST) be provided for between the City of Key West Department of Transportation (KWDoT) and the Monroe County Board of County Commission (BOCC) and the Division of Emergency Services, Monroe County, for evacuation and ground support needs which may arise due to an emergency situation. That document was executed by the BOCC at a meeting held May 21, 2008, and is in need of renewal or revision at this time.

To that end, the City of Key West Department of Transportation was contacted back in December 2010, and we requested the City Attorney's office assist with review and recommendation to revise said Agreement to allow for these services to continue into perpetuity - as communicated to Ms. Wittenberg via email from Mr. Jose Tezanos of Monroe County Emergency Services Transportation Office, to reflect minor revision of existing Agreement under Section 3. / Term, and Section 4. / Termination, as noted herein.

## **OPTION 1: APPROVE THE REVISION / AMENDMENT AS REQUESTED**

Several advantages to approving this revision are noted here but do not reflect all advantages available at this time - as a means of establishing an on going relationship or agreement for emergency transportation requirements - see here:

1. ) the revision / amendment allows for both local governments to have the required document in place ready to implement if necessary to get the required services to the people with a minimum requirement of a simple phone call - to the other agency; and
2. ) the mass transit or general population (and pets if confirmed by designated receiving shelter manager at FIU) minimum transportation needs will be met as outlined in said ILA by CKWDoT & COUNTY; and

3. ) the revision includes a minimum written notice period by either party, to the other party, of thirty (30) days - thereby not creating a concern for either party as to future planning or budgeting; and last but not least,

4. ) having an agreement or Inter Local Agreement in place at the time of any emergency being declared by the County and/or State - affords local government entities the ability to more easily document and request reimbursement of those expenses approved by the Federal Emergency Management Agency (FEMA) for said emergency declaration and event.

The only obvious disadvantage to this entire process is that the most recent FEMA reimbursement schedule of fees may not allow for all expenses to be reimbursed - however, CKWDoT will make every effort to work with the City's Finance and FEMA coordinators to receive the greatest reimbursement possible, for all events that are deemed critical or necessary to participate in as to evacuation or transportation services.

#### **OPTION 2: TO NOT APPROVE THE REVISION / AMENDMENT - NOT HAVE AN AGREEMENT IN PLACE**

The Commission could opt to not approve the Agreement. If the agreement is not approved, the City of Key West and Monroe County will continue to work together in the event of a state of emergency. However, without the agreement, the responsibilities of each agency are not clearly defined, and this often leads to issues of miscommunication, duplicated and non-eligible reimbursement of expenses and efforts and worse, no reimbursement of expenses due to not have the required FEMA documents in place prior to the event(s) date.

#### **PHYSICAL / FINANCIAL IMPACT**

There is no financial or physical impact associated with this item - mass transit emergency services are required and necessary.

#### **RECOMMENDATION**

KWDoT recommends approving the Interlocal Agreement revision / amendment as noted herein.

/mhw

Attachment - Resolution 08-091 w/back up documents