

SECOND AMENDMENT TO LAW ENFORCEMENT SERVICE AGREEMENT
BY AND BETWEEN CITY OF PARKLAND AND
THE SHERIFF OF BROWARD COUNTY

THIS SECOND AMENDMENT is made and entered into this 30th day of June, 2008, by and between the City of Parkland, a municipal corporation organized and existing under the laws of the State of Florida, which is a municipality located within the boundaries of Broward County, Florida (hereinafter referred to as CITY) and the Sheriff of Broward County, Florida, (hereinafter referred to as BSO).

WITNESSETH:

WHEREAS, on or about March 5, 2004, the CITY contracted with BSO to provide law enforcement services to the CITY;

WHEREAS, on or about May 11, 2004, BSO and the CITY entered into a First Amendment to said Agreement;

WHEREAS, the CITY is desirous of effectuating a Second Amendment to the law enforcement services agreement to provide for the provision of Code Enforcement Services;

WHEREAS, the parties are discussing certain interest that have arisen in regards to the First Agreement and the First Amendment relative to monthly payments and pension issues and wish to effectuate the Second Amendment while discussions are ongoing in regards to both matters;

NOW, THEREFORE, be it agreed by and between the parties as follows:

1. The above referenced recitations are true and correct and made a part hereof.
2. As of April 1, 2007, BSO shall begin to provide Code Enforcement services to the CITY OF PARKLAND which the services shall continue unless otherwise amended or terminated as provided in the Agreement.

3. The parties acknowledge that the City has been paying the proper amount of consideration for Code Enforcement services. This Second Amendment shall govern the continued provision of said Code Enforcement services and payments henceforth.

4. The following shall be added to Section 5.4 of the Agreement:

5.4 BSO will have access to all CITY records relevant to code enforcement research, including, but not limited to, building permits and plans, sign permits, development and site plans and occupational license records. The CITY attorney will provide advice to BSO on any code related issues.

The CITY shall provide one (1) desktop computer including all necessary and applicable software, normal wear and tear maintenance, repairs and replacement(s). The desktop computer is to be used solely by BSO Code Enforcement Officers. Additionally, the CITY shall be responsible for all postage, printing costs (i.e. notices, forms), and recording costs related to BSO performing Code Enforcement functions for the CITY. These costs and fees, if approved by the CITY, will be paid directly by the CITY to the vendor.

5. BSO shall provide the following Code Enforcement Personnel, which officer shall be certified in one or more levels from the The Florida Association of Code Enforcement to the CITY:

- A full time code enforcement officer
- A part time code enforcement officer

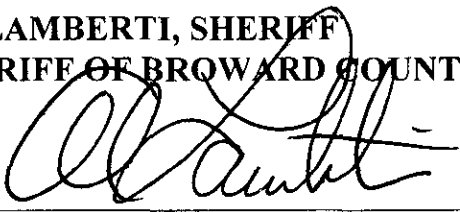
Notwithstanding the preceding provision, the CITY understands and acknowledges that any "new hires" will need a reasonable period of time to become certified.

6. The CITY shall pay BSO eight thousand eight hundred eighteen and 78/100 dollars (\$8,818.78) per month for the Code Enforcement services. In light of the issues that the parties are negotiating are related to the compensation due under the Agreement and First Amendment and pension obligations, this payment shall be made on a monthly basis and shall not prejudice either party with regards to said discussions related to the Agreement and First Amendment.

7. The parties have agreed that this Second Amendment is limited solely to Code Enforcement Services and payments for such services.

IN WITNESS WHEREOF, the parties execute this Second Amendment on the date(s) set forth below:

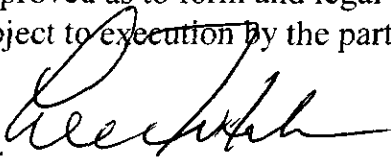

**AL LAMBERTI, SHERIFF
SHERIFF OF BROWARD COUNTY**

By: 
Al Lamberti Sheriff

Date: 6-30-08

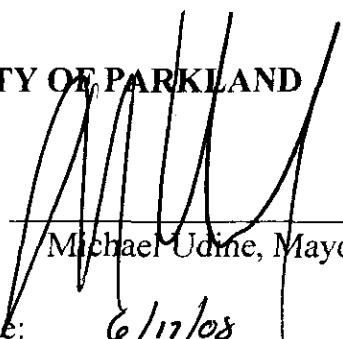
WITNESSES:

Approved as to form and legal sufficiency
subject to execution by the parties:

By:  
Office of the General Counsel

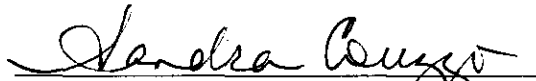
Date: 6/30/08

CITY OF PARKLAND

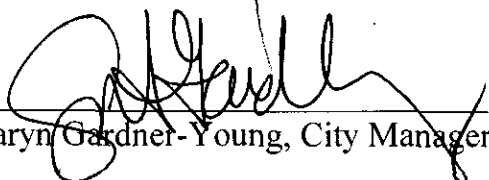
By: 
Michael Udine, Mayor

Date: 6/17/08

ATTEST:

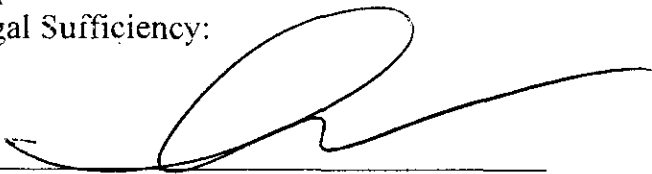

Sandra Couzzo, CMC, City Clerk

(SEAL)

By: 
Caryn Gardner-Young, City Manager

Date: 6/30/08

Approved as to form and
Legal Sufficiency:


Andrew S. Maurodis, City Attorney

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RESOLUTION NO. 2008-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA TO AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED SECOND AMENDMENT TO THE AGREEMENT BY AND BETWEEN KENNETH C. JENNE, II, SHERIFF OF BROWARD COUNTY, FLORIDA AND CITY OF PARKLAND FOR LAW ENFORCEMENT SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Parkland reviewed various options for providing police services to its citizens; and

WHEREAS, on February 4, 2004, the City Commission awarded a contract with the Broward Sheriff's Office ("BSO") for law enforcement services ("Agreement"); and

WHEREAS, the City staff advertised a proposal for code enforcement services and BSO was awarded the contract on December 20, 2006; and

WHEREAS, as of April 1, 2007 BSO has provided code enforcement services to the City; and

WHEREAS, although the parties acknowledge that the proper amount of consideration for the services has been provided to BSO, the Agreement was never formally amended to include the code enforcement services; and

WHEREAS, the City Commission hereby determines it to be in the best interest of the citizens and residents of the City of Parkland that the Second Amendment to the Agreement be adopted; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, THAT;

SECTION 1. The foregoing "WHEREAS" clauses are confirmed and ratified as being true and correct and are hereby incorporate herein. All exhibits attached hereto are hereby incorporate herein.

SECTION 2. The City Commission of the City of Parkland hereby approves the Second Amendment to the Agreement By and Between Kenneth C. Jenne, II, Sheriff of Broward County, Florida and the City of Parkland for Law Enforcement Services for inclusion of code enforcement services, a copy of which is attached hereto and incorporated by reference as if set forth in full.

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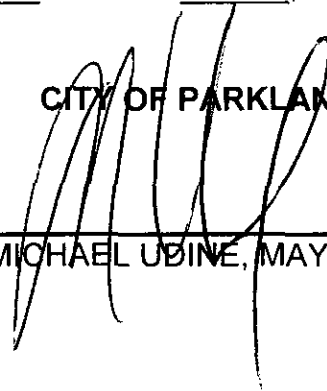
SECTION 3. The appropriate City officials are hereby authorized and directed to execute the necessary documents to effectuate the purpose and intent of this resolution.

SECTION 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part of application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS 4 DAY OF JUNE, 2008.

CITY OF PARKLAND


MICHAEL UBINE, MAYOR

ATTEST:



SANDRA COUZZO, CMCD
CITY CLERK