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**RESOLUTION NO. 2010-98**

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**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA TO AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED FIFTH 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.**

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**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**, during the 2010-2011 budget process, the City Commission authorized the use of overtime for a Motorcycle Officer and bicycle patrol for a traffic control and community presence; and

**WHEREAS**, for BSO to expend the additional amount of \$128,680.00, an amendment to the original contract is required; 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 Fifth 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 Fifth 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 to cover overtime hours of a Motorcycle Officer and a bicycle patrol, 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.

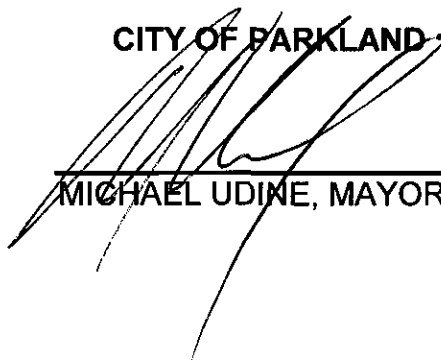
**SECTION 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**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 or 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.

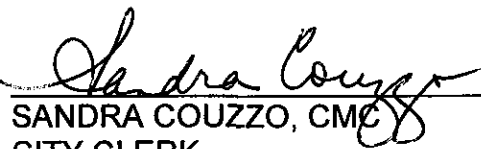
PASSED AND ADOPTED THIS 17 DAY OF ~~November~~ 2010.

CITY OF PARKLAND

  
\_\_\_\_\_

MICHAEL UDINE, MAYOR

ATTEST:

  
\_\_\_\_\_

SANDRA COUZZO, CMC  
CITY CLERK

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

THIS FIFTH AMENDMENT is made and entered into this 8 day of February, 2011, ~~2010~~, 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; and

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

**WHEREAS**, on or about June 30, 2008, BSO and the CITY entered into a Second Amendment to said Agreement; and

**WHEREAS**, on or about January 13, 2009, BSO and the CITY entered into a Third Amendment to provide for additional services; and

**WHEREAS**, on or about February 23, 2010, BSO and the City entered into a Fourth Amendment to add overtime funding; and

**WHEREAS**, the initial agreement, First Amendment, Second Amendment, Third Amendment and Fourth Amendment are hereinafter collectively referred to as the "Agreement"; and

**WHEREAS**, the parties are desirous of effectuating a Fifth Amendment to the Agreement to add overtime funding and modify the terms and conditions as set forth herein.

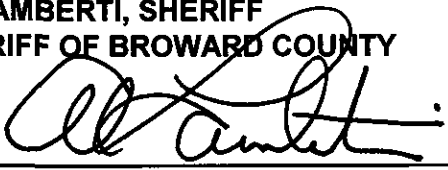
**NOW, THEREFORE**, be it agreed by and between the parties as follows:

1. The above referenced recitations are true and correct and made a part hereof.
2. The consideration payable by the CITY to BSO for fiscal year 2010/2011 will be increase by one hundred twenty eight thousand six hundred eighty dollars (\$128,680.00), which will be used to cover the overtime hours of a Motorcycle Deputy and a bicycle patrol. This increase is only for fiscal year 2010/2011 and shall not be added to the base consideration for future years.
3. Except as herein amended, all other provisions of the Agreement shall remain in full force and effect.

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

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

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

By:   
Al Lamberti Sheriff

Date: 1-18-11

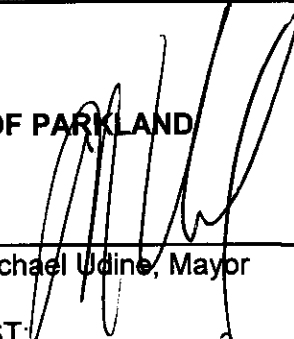
Approved as to form and legal sufficiency subject to execution by the parties:

By:   
Judith Levine, General Counsel

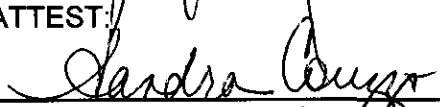
Date: 1/12/11

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

**CITY OF PARKLAND**

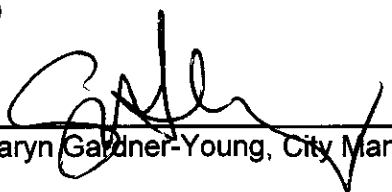
By:   
Michael Udine, Mayor

Date: 2/3/11

ATTEST:  
  
Sandra Couzzo, CMC, City Clerk


Date: 2/8/11

(SEAL)

By:   
Caryn Gardner-Young, City Manager

Date: 2/8/11

Approved as to form and  
Legal Sufficiency:

  
Andrew S. Maurodis, City Attorney

Date: 2/3/11