

**SECOND AMENDMENT**  
**TO LAW ENFORCEMENT SERVICE AGREEMENT**  
**BY AND BETWEEN**  
**THE CITY OF TAMARAC AND BROWARD SHERIFF'S OFFICE**

THIS SECOND AMENDMENT is made and entered into this 25<sup>th</sup> day of September, 2013 by and between the City of Tamarac, a municipal corporation organized and existing under the laws of the State of Florida, which municipality is fully located within the boundaries of Broward County, Florida (hereinafter referred to as "CITY") and the Broward Sheriff's Office (hereinafter referred to as "BSO").

**WITNESSETH:**

**WHEREAS**, on or about December 8, 2010, the CITY contracted with BSO to provide law enforcement services to the CITY ("Original Agreement"); and

**WHEREAS**, the City desires to implement its City's Red Light Photo Enforcement Program established in Chapter 14.5 of the City's Code of ordinances; and

**WHEREAS**, the Original Agreement between the CITY and BSO must be amended to facilitate the City's Red Light Photo Enforcement Program.

**WHEREAS**, the CITY and BSO now desire to amend the staff structure by adding one (1) Motor Deputy Sheriff and one (1) Community Service Aide; and

**NOW THEREFORE**, in consideration of the sums hereinafter set forth and for other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, it is agreed as follows:

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Effective thirty (30) days after receipt of written notice from City, the staffing structure shall be increased by one (1) Motor Deputy Sheriff and one (1) Community Service Aide and the cost for these additional positions shall be included in BSO's monthly invoices. The personnel assigned to the City pursuant to this Second Amendment shall be compliant with the training requirements of Section 316.0083, Florida Statutes.

**Section 3.** The increased staff resulting from this Second Amendment shall be dedicated solely to reviewing potential Red Light Camera Violations pursuant to Section 316.0083, Florida Statutes, as authorized by Chapter 14.5, City Code, generated by the City's assigned Red Light Photo Enforcement Program vendor.

**Section 4.** For purposes of this Second Amendment, "Reviewing," as stated in Section 3, supra, shall mean processing each potential violation in accordance with State

Laws and/or City Ordinances within five business (5) days of its appearance in the Red Light Photo Enforcement Program vendor's software; determining which violations will be issued as Notices of Violation or Uniform Traffic Citations; attending any and all special magistrate or court hearings as requested by the City, with or without a subpoena; assist in hearing preparation; attending all trainings held by the City's Red Light Photo Enforcement Program vendor and/or the City; and any and all duties required to facilitate the intent of the City's Red Light Photo Enforcement Program.

**Section 5.** The City may terminate this Second Amendment upon thirty (30) days written notice to BSO if the City ends its Red Light Photo Enforcement Program.

**Section 6.** Paragraph 1 of Exhibit B entitled "Definitions," of the Original Agreement is amended as follows:

t. Red Light Camera Infractions – violations of Section 316.0083, Florida Statutes, as may be amended from time to time, also known as the "Mark Wandall Traffic Safety Act."

**Section 7.** Exhibit B entitled "Description of Services," is amended and renumbered as follows:

DIRECT SERVICES

...

b. Other Law Enforcement Services

...

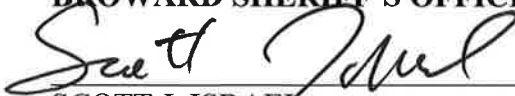
5. Red Light Camera Infraction Review as authorized by an addendum to this Agreement.

**Section 8.** Except as amended herein, all other provisions of the Agreement shall remain in full force and effect.

**SECOND AMENDMENT TO LAW ENFORCEMENT SERVICE AGREEMENT BY  
AND BETWEEN THE CITY OF TAMARAC AND BROWARD SHERIFF'S OFFICE**


IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the date(s) indicated below.

**BROWARD SHERIFF'S OFFICE**

  
SCOTT J. ISRAEL  
Sheriff

Date: 9.12.13

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

  
RONALD M. GUNZBURGER, General Counsel

Date: 09/11/13

**CITY OF TAMARAC**

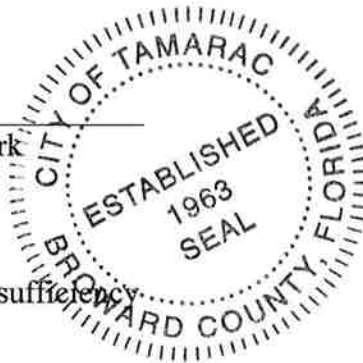
  
BETH TALABISCO, Mayor

Date: 9/30/13

ATTEST:

  
PATRICIA TEUFEL, City Clerk

Date: 9/20/13



Approved as to form and legal sufficiency

  
CITY ATTORNEY

Date: 9/24/13

**CITY OF TAMARAC, FLORIDA**

**RESOLUTION NO. 101**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA APPROVING THE SECOND AMENDMENT TO THE LAW ENFORCEMENT SERVICES AGREEMENT BETWEEN THE CITY OF TAMARAC AND THE BROWARD SHERIFF'S OFFICE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE SECOND AMENDMENT TO THE AGREEMENT FOR POLICE SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Tamarac contracts for police services with the Broward Sheriff's Office; and

**WHEREAS**, the City of Tamarac is desirous of maintaining a high level competent professional police service in conjunction and harmony with its policies of sound, economical management; and

**WHEREAS**, the City of Tamarac, through Resolution No. R-2010-146 approved on December 8, 2010, entered into the existing agreement between the City of Tamarac and the Broward Sheriff's Office for Police Services for a 5 year term commencing on October 1, 2010; and

**WHEREAS**, the City of Tamarac, through Resolution No. R-2012-124 on November 14, 2012, amended the agreement in order to provide an elevated level of police services by revising the staffing complement by adding five additional deputies and on administrative staff; and

**WHEREAS**, the City of Tamarac approved Resolution No. R-2012-128 on November 14, 2012 authorizing American Traffic Solutions (ATS) to install Traffic Infraction Monitoring Equipment (Red Light Cameras); and

**WHEREAS**, the agreement with ATS provided that the first \$214,133 would go towards the annual cost of the Broward County Sheriff's Office personnel performing the duties related to the City's Red Light Photo Enforcement Program; and

**WHEREAS**, the Broward County Sheriff's Office has requested one additional deputy and one additional Community Service Aid to support the Red Light Photo Enforcement Program; and

**WHEREAS**, the City of Tamarac and the Broward Sheriff's Office wish to revise the staffing complement as outlined in Amendment 2, attached hereto as Exhibit 1; and

**WHEREAS**, the Assistant City Manager and the Director of Financial Services recommend the approval and execution of the Second Amendment to the Law Enforcement Service Agreement; and

**WHEREAS**, the City Commission of the City of Tamarac deems it to be in the best interest of the citizens and residents of the City of Tamarac to approve and authorize the appropriate City officials to execute the Second Amendment to the Law Enforcement Service Agreement between the City of Tamarac and the Broward Sheriff's Office for a period to be effective through September 30, 2015.

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:**

**Section 1:** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are incorporated herein by this reference. All

exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** The appropriate City Officials hereby approve and are authorized to execute the Second Amendment to the Law Enforcement Service Agreement between the City of Tamarac and the Broward Sheriff's Office, attached hereto as Exhibit 1.

**Section 3:** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

**Section 4:** If any section, sentence, clause, or phrase of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portions of this resolution.

**Section 5:** This resolution shall become effective upon its passage and adoption by the City Commission.

[Remainder of this page intentionally left blank]

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF TAMARAC,  
FLORIDA THIS 25 DAY OF September, 2013.

CITY OF TAMARAC FLORIDA

  
\_\_\_\_\_  
BETH TALABISCO, MAYOR

ATTEST:

  
\_\_\_\_\_  
PATRICIA TEUFEL, CMC  
CITY CLERK

RECORD OF COMMISSION VOTE:

MAYOR TALABISCO yes  
DIST 1: COMM. BUSHNELL yes  
DIST 3: COMM. GLASSER yes  
DIST 4: V/M. DRESSLER yes

I HEREBY CERTIFY THAT I HAVE  
APPROVED THIS RESOLUTION  
AS TO FORM

  
\_\_\_\_\_  
f SAMUEL S. GOREN  
CITY ATTORNEY