

MEMORANDUM

June 24, 2014

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Clara VanBlargan, City Clerk

RE: Interlocal Agreement Amendment #5 – Winter Haven Area Transit System (WHAT)

SYNOPSIS: The agreement allows a “fair-share” contribution to Winter Haven Area Transit System for transportation service it provides in Lake Wales for FY2014-2015.

RECOMMENDATION

It is recommended that the City Commission approve Amendment #5 to the Interlocal Agreement with the Polk County Board of County Commissioners for the management and operation of the Winter Haven Area Transit System and the “Fair Share” contribution up to \$5,433 for FY14’15.

BACKGROUND

The Winter Haven Area Transit System is currently providing transportation service to six municipalities, one of which is Lake Wales. Service level forecasts for the WHAT system for FY14’15 are based on each municipality’s commitment and is critical to the continuation of service at near current service levels. The assessed amount is based solely on the percentage of service being provided within each respective municipality and is considered a “fair-share” contribution.

In August of 2009, the Lake Wales City Commission approved the first Interlocal Agreement with the Polk County Board of County Commissioners for transit bus service. The “Fair Share” contribution of up to \$5,433 for Amendment #5 has not changed since the original agreement.

This is a pivotal year as we move towards a major referendum on November 4th that will change the face of Public Transportation in Polk County. When passed, future fair share contributions will no longer be requested.

OTHER OPTIONS

Do not approve the Amendment #4 and the “Fair Share” contribution.

FISCAL IMPACT

The fiscal impact is up to \$5,433 which is included in the proposed FY14’15 budget.

ATTACHMENTS

Polk County Memo
Interlocal Agreement Amendment #5

RECEIVED
JUN 23 2014
BY: *ZIC*

**Social Services Division
Transit Services**



1290 Golfview Avenue
Bartow, FL 33830
(863) 534-5363 Office
(863) 534-5311 Fax #

June 12, 2014

Mr. Kenneth Fields
Interim City Manager, City of Lake Wales
P.O. Box 1320
Lake Wales, FL 33859-1320

Mr. Fields,

Attached is Amendment 5 for Fiscal Year 2015 which extends our contract to September 30, 2015, for transit bus service in the Winter Haven Area Transit's service area. Of major significance is that your municipalities' fair share service cost will remain the same at \$5,433.

This is a pivotal year as we move towards a major referendum on November 4th that will change the face of Public Transportation in Polk County. When passed, future fair share contributions will no longer be requested. We appreciate your partnership these past years both financially and cooperatively as we look forward to a bright future with strong economic development and viable, efficient transit for our citizens.

Yours truly,

Paul A. Simmons
Transit Manager
Polk County Board of County Commissioners

Attch: Amendment Five to Interlocal Agreement
PAS/wcs

POLK COUNTY/CITY OF LAKE WALES PUBLIC TRANSIT SERVICES INTERLOCAL AGREEMENT
AMENDMENT #5

This Amendment #5 to the Polk County/City of Lake Wales Public Transit Services Interlocal Agreement (the "Interlocal Agreement"), is made by and between the City of Lake Wales ("City"), a Florida Municipal Corporation, and Polk County ("County"), a political subdivision of the State of Florida, by its Board of County Commissioners, is entered into effective as of the 1st day of October, 2014, as follows:

WHEREAS, the City and the County first entered into the Interlocal Agreement related to Public Transit Services in September 2009, with an effective date of October 1, 2009, and said Interlocal Agreement detailed the specifics of the City's agreement to assist with the funding of a portion of the fixed-route services of the Winter Haven Area Transit system operating within the City limits. That Interlocal Agreement included a term of 1 year.

WHEREAS, the City and the County extended the Interlocal Agreement for an additional 1 year term, by Amendment #1 to the Interlocal Agreement with an effective date of October 1, 2010.

WHEREAS, the City and the County extended the Interlocal Agreement for an additional 1 year term, by Amendment #2 to the Interlocal Agreement with an effective date of October 1, 2011. Amendment #2 also clarified that all references to the Winter Haven Area Transit ("WHAT") Policy Board be stricken from the Interlocal Agreement, and that all of its responsibilities and duties are transferred to the Polk Transit Authority ("PTA").

WHEREAS, the City and the County extended the Interlocal Agreement for an additional 1 year term, by Amendment #3 to the Interlocal Agreement with an effective date of October 1, 2012.

WHEREAS, the City and the County extended the Interlocal Agreement for an additional 1 year term, by Amendment #4 to the Interlocal Agreement with an effective date of October 1, 2013.

WHEREAS, the current term of the Interlocal Agreement is set to expire on September 30, 2014,
and;

WHEREAS, both parties wish to extend the term of the Interlocal Agreement, as modified by previous Amendments, for an additional 1 year term;

NOW, THEREFORE, in and for consideration of the mutual promises and agreements included herein and in the Interlocal Agreement, as modified, the parties hereto agree as follows:

1. The term of the Interlocal Agreement is hereby extended for an additional 1 year term effective October 1, 2014, and through September 30, 2015.
2. All other terms and conditions of the Interlocal Agreement, as previously modified by any and all amendments thereto, and until proper termination thereof, or until further modified by mutual agreement of the parties by means of additional amendments, shall remain in full force and effect.

IN WITNESS WHEREOF, the City and County have caused this Agreement to be executed by their duly authorized representatives.

City Commission
City of Lake Wales, Florida

Polk County Board of County
Commissioners

By: _____

By:  _____
R. Todd Dantzler

Title: _____

Title: _____ Chairman

Date: _____

Date: _____

Attest:

Attest:

City Clerk
City of Lake Wales

Stacy M. Butterfield, County Clerk
Polk County, Florida

By: _____
City Clerk

 _____
Deputy Clerk

Date: _____

Date: _____