

**INTERLOCAL AGREEMENT BETWEEN THE
CITY OF GAINESVILLE AND ALACHUA COUNTY
TO CREATE AN ALL HAZARDS RESPONSE
EMERGENCY SERVICES DEPARTMENT**

THIS INTERLOCAL AGREEMENT, made and entered by and between the City of Gainesville, a Florida municipal corporation, hereinafter referred to as the "City", and Alachua County, a charter county and political subdivision of the State of Florida, by and through the Board of County Commissioners, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the City and County currently fund and operate separate fire rescue departments with the City having responsibility for fire and rescue services within the municipal boundaries of the City of Gainesville and the County having responsibility for fire and rescue services in the unincorporated areas of Alachua County; and,

WHEREAS, to promote the health, safety, and general welfare of the citizens within their respective jurisdictions, the City and County wish to improve fire and rescue services within Alachua County; and,

WHEREAS, the City and County have determined that the establishment and operation of an all hazards response emergency services department would further the mutual objective of enhancing fire and rescue services; and,

WHEREAS, the City and County wish to set forth the terms and conditions for the establishment and operation of such an all hazards response emergency services department; and

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WHEREAS, the City and County are authorized to enter into this agreement under authority granted in their respective charters, Florida general law, and specifically section 163.01 Florida Statutes.

NOW, THEREFORE, for and in consideration of mutual benefits to be received, the City and County hereby agree as follows:

Section 1: Creation of All Hazards Response Emergency Services Department.

The City and County agree to establish and maintain a single all hazards response emergency services department to assure service to the City of Gainesville, the Gainesville urbanized unincorporated area, and all other unincorporated areas of Alachua County. For some services the area will include the entire County. The new department will consist initially of the combined Gainesville Fire Rescue Department and the Alachua County Fire Rescue Department including Emergency Management, E-911 Office, and Emergency Medical Services.

Section 2: Personnel. All reductions in the number of staff positions that may result from the merger of the City and County Fire Rescue Departments will be made through normal attrition. No current employee of the City or County assigned to the Fire Rescue Departments will be terminated or receive a reduced salary or benefits because of the creation of the merged department. No current employee will be made to change to a different retirement program (subject to any limitations imposed by state law).

Section 3: Amendments. All amendments to this interlocal agreement will require approval of both the City Commission and the County Commission. The City and County agree that the merger of the Fire Rescue Departments is an evolutionary process that will require that numerous issues be resolved and a new interlocal agreement

will be adopted to replace this interlocal agreement. The City and County agree that the new interlocal agreement shall include at a minimum the following provisions:

1. Financing Plan;
2. Governance Structure;
3. An Operational Plan;
4. Protection of Current Employees and Their Salaries and Benefits; and,
5. Termination of or Withdrawal from the Agreement.

The City Manager and County Manager shall present the new interlocal agreement for approval by the City Commission and County Commission within nine months from the date of this agreement.

Section 4. Term of Agreement. The City and County agree that a long-term interlocal agreement is desirable for the continuity and stability of service, planning, and financial affairs; therefore, the term of this Agreement shall commence when executed by both parties and shall continue until amended or replaced with a new agreement as provided for in Section 3 above, or until terminated upon written notice by the City or County delivered to the other party at least thirty (30) days in advance of the termination date.

Section 5. Indemnification. The City as a municipal corporation chartered by the State of Florida as defined in Section 768.28 Florida Statutes, agrees to be fully responsible for its negligent acts or omissions, which in any way relate to or arise out of this agreement. The County as a political subdivision of the State of Florida as defined in Section 768.28 Florida Statutes, agrees to be fully responsible for its negligent acts or omissions which in any way relate to or arise out of this agreement. Nothing herein shall

be construed as consent by an agency or subdivision of the State of Florida to be sued by third parties in any matter arising out of this agreement or as a waiver of sovereign immunity by any party to which sovereign immunity applies.

Section 6. Recording of Agreement. The County, upon execution of this agreement by the appropriate City and County officials, shall record this interlocal agreement in the Public Records of Alachua County, Florida.

IN WITNESS WHEREOF, the City and County have caused this interlocal agreement to be executed this _____ day of _____, 2000 for the uses and purposes set forth herein.

ALACHUA COUNTY

By: _____
Chair, Board of County Commissioners

ATTEST:

Clerk of Court

APPROVED AS TO FORM:

County Attorney

CITY OF GAINESVILLE

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

