

RESOLUTION NO. xxxx-

**A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS
ESTABLISHING AND INCREASING USER FEES FOR THE USE OF PUBLIC SAFETY RADIOS
AND RADIO COMMUNICATION SERVICES PROVIDED BY THE COUNTY AND ADOPTING A
POLK COUNTY PUBLIC SAFETY RADIOS COMMUNICATION SERVICES POLICY.**

1. **WHEREAS**, the County offers to its citizens the use of public safety radios and public safety radio communication services (collectively, the "Services"); and
2. **WHEREAS**, the County currently funds the cost of providing the Services through a portion of revenues received from moving traffic violation penalties, in accordance with Section 318.21(9), Florida Statutes, and through the County's general funds; and
3. **WHEREAS**, in order to recoup the cost of providing the Services, the County is authorized to charge a fee for the use thereof, pursuant to its home rule authority to impose proprietary fees, so long as the fee charged is reasonable and equitable; and
4. **WHEREAS**, the BOCC first established and set user fees for the use of Public Safety radios and radio communication services in 2013 by adoption of Resolution 13-105; and
5. **WHEREAS**, the BOCC adopted Resolution 17-024 in 2017 to increase and continue the collection of charged fees; and
6. **WHEREAS**, the BOCC adopted Resolution 2021-016 in 2021 to increase and continue the collection of charged fees; and
7. **WHEREAS**, the current funding sources for the Services are insufficient to meet the County's cost of providing the Services; and
8. **WHEREAS**, the increased fees for the Services as set forth on Exhibit "A", attached hereto and incorporated herein, are reasonable in relation to the benefit received and do not exceed the County's cost of providing the Services; and
9. **WHEREAS**, it is equitable that the person, group, or entity utilizing the Services should bear the cost; and
10. **WHEREAS**, it is appropriate to adopt policy guidelines for users of the Service.

NOW, THEREFORE, BE IT RESOLVED, by the Polk County Board of County Commissioners (the "Board"), in open session duly assembled that:

1. The Board hereby adopts the user fees for the Services as set forth on Exhibit "A".
2. The Board hereby adopts the Polk County Public Safety Radios Communication Services Policy attached hereto as Exhibit "B."
3. Upon recommendation of the Emergency Management Director, the County manager may amend or modify the Polk County Public Safety Radio Communication Services Policy without further approval of the Board.

4. This Resolution shall take effect on **October 1, 2026.**

ATTEST:

STACY M. BUTTERFIELD, Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

Deputy Clerk

BOCC Chair

EXHIBIT "A"

Indexed Schedule of User Fees

For Public Safety Radios and Radio Communication Services

Fee charged per subscriber (radio) per month			
Fiscal Year	System Access	Subscriber Maintenance	Subscriber Replacement
26/27	\$32.00	\$50.00	\$40.00
27/28	\$34.00	\$52.00	\$42.00
28/29	\$36.00	\$54.00	\$44.00
29/30	\$38.00	\$56.00	\$46.00
30/31	\$40.00	\$58.00	\$48.00

EXHIBIT "B"

POLK COUNTY PUBLIC SAFETY RADIOS COMMUNICATION SERVICES POLICY

- I. County Entity Fee Requirements
 - a. County entities shall include Polk County divisions, units and departments, and the offices of Polk County Constitutional Officers that use public safety radios owned by Polk County.
 - b. System Access Fees, Subscriber Maintenance Fees and Subscriber Replacement Fees apply to each radio assigned to the County entity and are mandatory.
 - c. Each County entity shall annually include in their budget an amount to cover the System Access Fees, Subscriber Maintenance Fees and Subscriber Replacement Fees for each public safety radio assigned to the County entity.
- II. Non-County Entity Fee requirements
 - a. Non-County Entities shall include radio users of municipalities, charter schools, private ambulance services and other non-county entities.
 - b. The Non-County entities will have access to the County's public safety radio communications system in exchange for paying the System Access Fees.
 - c. The Non-County entity shall be responsible for the purchase, maintenance, upgrade, repair, replacement, installation, programming and all other pertinent costs of their own radios.
 - d. Non-County entities have the option to participate in the Subscriber Maintenance Program which requires payment of the Subscriber Maintenance Fees.
 - e. The Subscriber Replacement Fees do not apply to Non-County entities.
- III. General Policy
 - a. Polk County maintains the FCC license for the radio system and is responsible for all related regulatory obligations.
 - b. User shall mean the County Entity or Non-County Entity using the public-safety radio system.
 - c. The system coverage is "as-is." The County will not be responsible for any coverage or system improvement to accommodate any User's specific radio coverage or performance needs.
 - d. The County reserves the right to determine the maximum number and types of talk groups assigned or made available to each User. This includes any interoperability talk groups as may be required for each jurisdiction or discipline.
 - e. Each User is required to maintain and provide Radio Services an accurate inventory of their subscriber radios on the system and immediately provide the Radio Services an updated list following any substantive change. The list shall have, as a minimum, information such as radio type/model, serial number, property number, and User alias.
 - f. Any increase in the quantity of radios must be reviewed and approved by Polk County Radio Services. There is a finite number of channels and the number of radios must be limited so the system is not burdened with unmanaged User increase and traffic congestion. This is especially important since the primary purpose of our system is to serve mission critical, public safety operations (Law Enforcement and Fire Rescue). Therefore, it is important there should always be a practical balance between resources and system loading.
 - g. From time to time the system will undergo required maintenance, repairs, upgrades, or expansions. While every attempt will be made to reduce the occurrence and duration of communication disruptions, some down time may be unavoidable. Every reasonable effort will be made to notify the Users of any planned outages. Cooperation from each User will be required during such times. Each User is responsible for

the cost of any upgrade or added feature to their subscriber radios in order to remain compatible with the radio system.

- h. The purchase of any radios intended for use on the Polk County's two-way radio system must be approved by Polk County Radio Services. This is to ensure the radio features meet all technical and performance requirements compatible with the County radio system.

IV. Fee Governance & Billing

- a. User Fees are established by the Polk County Board of County Commissioners (BoCC) and are typically defined for each Fiscal Year in an annual indexed form for 5-year cycles. These fees are subject to change per the discretion of BoCC. For the current Fee Schedule, contact the Polk County Radio System Manager, at (863) 519-7390.
- b. Annual invoicing occurs each September for the ensuing County Fiscal Year (FY) which is from October 1 through September 30 of the following calendar year.
- c. The Fee schedule is based on per radio per month and applies to any radio with an active Radio ID on the system, even if broken or not in use. Lost, stolen, broken, or otherwise unused radios must be reported to Polk County Radio Services so they can be disabled and the database updated. Disabled radios are not subject to fees.
- d. Any billing adjustment due to Users adding or deleting radio quantities will be incorporated into the User's next immediate billing cycle
- e. Payment shall be made by the User no later than 60 days after receiving an invoice from Polk County.

V. Subscriber Maintenance Fee Program:

- a. Goods and Services Provided Under the Subscriber Maintenance Fee
 - i. Firmware upgrades to radios
 - ii. Subscriber radio programming
 - iii. Code plug development and update
 - iv. Radio alignment and general preventive maintenance
 - v. Minor repair and replacement of damaged portable radio knobs and antennas
 - vi. Limited mobile radio installation
 - vii. Depot Services (see Warranty and Depot Services section below)
 - viii. Consumables:
 - 1. Batteries
 - 2. Chargers
 - 3. Shoulder Mics
- b. Service shall be by appointment only
- c. Service shall be at the discretion of Polk County Emergency Management Division based on resource availability
- d. Warranty & Depot Services
 - i. Radio Services will assist in working with the vendor for any radio or accessory covered under warranty.
 - ii. Minor repairs for radios no longer supported by the depot will be based on best efforts and parts availability. For more complex/major repairs, if supported, the radios will be shipped to the depot where they will be fixed and returned for a flat rate, covered by the User Maintenance Fee. There will be no charge for work on radios or accessories under warranty.
 - iii. It is the responsibility of the radio user to own and operate current, and manufacturer supported radios. The user is solely responsible for the replacement cost of a damaged / unrepairable legacy radio no longer supported by the manufacturer.

- iv. The User is solely responsible for all repair or replacement costs due to liquid or physical damage, because of accidents, negligence, or abuse.

VI. Subscriber Replacement Fee Program:

- a. The collected Subscriber Replacement Fees will be placed and accumulated in a separate account so they may apply toward the bulk subscriber purchase replacement for participating County entities. Bulk purchases are expected to occur in typical cycles of 12 to 15 years due to technology obsolescence as well as manufacturing and depot support discontinuation.