

RESOLUTION NO. 21-02-19

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING AN OPERATING AGREEMENT BETWEEN FLORIDA BAY FOREVER SAVE OUR WATERS AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE OPERATIONS AND MAINTENANCE AT THE GREEN TURTLE HAMMOCK NATURE PRESERVE; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the "Village") has prepared an Operating Agreement (the "Agreement") for Florida Bay Forever Save Our Waters ("FBFSOW") to provide operations and maintenance at the Green Turtle Hammock Nature Preserve ("GTH"); and

WHEREAS, in June 2020, the Village issued Village issued Request for Proposals ("RFP") 20-07 for GTH Operating Agreement and received one (1) responsive proposal thereto from FBFSOW; and

WHEREAS, on October 1, 2020, the Village Council of Islamorada, Village of Islands (the "Village Council") adopted Resolution 20-10-101, thereby approving the recommendation to enter into an Operating Agreement with FBFSOW to operate out of the GTH; and

WHEREAS, the intent of the agreement is to provide aspects of operation, development and maintenance at the GTH in accordance with the Florida Communities Trust ("FCT") Management Plan; and

WHEREAS, FBFSOW has agreed to provide the services described in the Operating Agreement in accordance with the FCT Management Plan; and

WHEREAS, FBFSOW intends to operate the facility for environmental education, interpretation or public outdoor recreation that is compatible with the conservation, protection, and enhancement of the property in accordance with the FCT Management Plan; and

WHEREAS, the Village Council has determined that approval of the Agreement between FBFSOW and the Village is in the best interest of the Village and its residents.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approval of Agreement.** The Village Council hereby approves the Agreement between FBFSOW and the Village to provide operations and maintenance at the GTH, a copy of which is attached hereto as Exhibit "A," together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager and/or her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

Section 5. Execution of Agreement. The Village Manager is authorized to execute the Agreement on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and to execute any extensions and/or amendments to the Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Motion to adopt by Mayor Joseph B. Pinder, seconded by Councilman David Webb.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Pete Bacheler	YES
Councilman Mark Gregg	ABSTAINED
Councilman Henry Rosenthal	YES
Councilman David Webb	YES

PASSED AND ADOPTED THIS 25TH DAY OF FEBRUARY, 2021.



JOSEPH B. PINDER III, MAYOR

ATTEST:



KELLY S. TOTH
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:



ROGET V. BRYAN, VILLAGE ATTORNEY

EXHIBIT A Available Upon Request.

Please contact Village Clerk at
305-664-6413 or
deputyclerk@islamorada.fl.us