

RESOLUTION NO. 24-03-25

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING AN AMENDMENT
OF THE EMPLOYEE INTERCHANGE AGREEMENT WITH MONROE
COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Islamorada, Village of Islands (the "Village"), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statute; and

WHEREAS, Section 7(3) of the Village Charter requires that there shall be a Village Manager who will be the chief administrative officer of the Village; and

WHEREAS, at the meeting on July 27, 2023, Monroe County, Florida ("County") offered to permit its employee, Bryan Cook ("Mr. Cook"), to serve as the Village's Interim Village Manager pursuant to an Employee Interchange Agreement ("Agreement") governed by Section 112.24, *et seq.*, Florida Statutes; and

WHEREAS, at the meeting on August 3, 2023, the Village Council passed Resolution 23-08-76 which approved the Agreement and appointed Mr. Cook as Interim Village Manager; and

WHEREAS, at the meeting on September 28, 2023, the Village Council passed Resolution 23-09-111 which approved the First Amendment to the Agreement ("First Amendment") which, *inter alia*, replaced Mr. Cook as Interim Village Manager with Ed Koconis ("Mr. Koconis"); and

WHEREAS, at the meeting on November 7, 2023, the Village Council passed Resolution 23-11-122 which approved the Second Amendment to the Agreement ("Second Amendment") which, *inter alia*, replaced Mr. Koconis as Interim Village Manager with Kimberly Matthews ("Ms. Matthews") effective January 8, 2024. Resolution 23-11-122 also approved the appointment of Maria Bassett to

serve as Acting Village Manager from December 7, 2023 – January 7, 2024; and

WHEREAS, at the meeting on February 15, 2024, the Village Council passed Resolution 24-02-14 which approved the Third Amendment to the Agreement ("Third Amendment") which, *inter alia*, extend the Agreement for an additional sixty (60) days through May 8, 2024; and

WHEREAS, the Agreement and subsequent amendments list the title being filled as Interim Village Manager; and

WHEREAS, with the hiring of Robert Cole to serve as Village Manager, the Agreement needs to be updated to reflect a different role and title for Ms. Matthews while serving in her capacity with the Village; and

WHEREAS, the Village Council finds that amendment of the Agreement to change the title from "Interim Village Manager" to "Advisor to the Council and the Manager" is in the best interest of the Village and its residents; and

WHEREAS, the Village Council finds that amendment of the Agreement to change the end date of the Agreement from May 8, 2024 to April 5, 2024 at 5:00 p.m. is in the best interest of the Village and its residents; and

WHEREAS, the Village Council approves and authorizes the Fourth Amendment to the Agreement ("Fourth Amendment") (attached as Exhibit "A"); and

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 finds that the Fourth

Amendment is reasonable and appropriate. In accordance with the agreement of the parties, the Village Council hereby approves the Fourth Amendment.

Section 3. **Execution of Agreement.** The Mayor is authorized to execute the Fourth Amendment on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement, subject to the approval as to form and legality by the Village Attorney.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

[Remainder of the page intentionally left blank.]

Motion to adopt by M. Gregg, seconded by E. Jolin.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	Yes
Vice Mayor Sharon Mahoney	Yes
Councilman Mark Gregg	Yes
Councilwoman Elizabeth Jolin	Yes
Councilman Henry Rosenthal	Yes

PASSED AND ADOPTED THIS 12th DAY OF MARCH, 2024.

DocuSigned by:

Joseph B. Pinder III

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JOSEPH B. PINDER III, MAYOR

ATTEST:

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Marne B. McGrath

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MARNE MCGRATH, VILLAGE CLERK

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

DocuSigned by:



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JOHN J. QUICK, VILLAGE ATTORNEY



FOURTH AMENDMENT TO
EMPLOYEE INTERCHANGE AGREEMENT
(ISLAMORADA, VILLAGE OF ISLANDS)

THIS FOURTH AMENDMENT TO EMPLOYEE INTERCHANGE AGREEMENT (hereinafter "Amendment") is made and entered by and between Monroe County, a political subdivision of the State of Florida, whose address is 1100 Simonton Street, Key West, FL, 33040 (hereinafter "County"), and Islamorada, Village of Islands, a municipality organized under the laws of the State of Florida, whose address is 86800 Overseas Highway, Islamorada, FL 33036 (hereinafter "Village") (hereinafter, when referred to individually as "Party" or collectively as "Parties).

WITNESSETH

WHEREAS, Chapter 112, Part II, Florida Statutes, authorizes the interchange of employees between governments, including counties and municipalities; and

WHEREAS, Section 112.24, Florida Statutes, provides that the details of an employee interchange shall be the subject of an agreement between a sending agency and a receiving agency;

WHEREAS, August 6, 2023, the County and the Village entered into an Employee Interchange Agreement ("Agreement") whereby the Parties agreed that the County would assign Bryan Cook ("Cook"), Director of Employee Services for Monroe County, to the Village as receiving agency, to serve as Interim Village Manager; and

WHEREAS, on October 4, 2023, the Agreement was amended to extend the Agreement by up to an additional sixty (60) days, through December 6, 2023, and also to assign Ed Koconis to serve as the Interim Village Manager in place of Bryan Cook; and

WHEREAS, on November 16, 2023, the Agreement was amended a second time to extend the Agreement through March 8, 2024; to assign Kimberly Matthews, Senior Director of Strategic Planning & Director of Library for Monroe County, to serve in the position as Interim Village Manager beginning on January 8, 2024; and also to shorten the termination time period upon mutual agreement if a suitable replacement candidate is found to serve as Interim Village Manager or permanent Village Manager prior to expiration of the term of the Agreement as extended; and

WHEREAS, on or about February 26, 2024, the Parties approved a Third Amendment, to extend the Agreement until May 8, 2024 while the Village was continuing its search for a Village Manager; and

WHEREAS, the Village anticipates the hiring of a new Village Manager, and wishes to amend the Agreement in order to modify the job title and job description of the County employee assigned to assist the Village in order to have the position provide general advice, counseling, and assistance during the transition period as well as advice regarding some strategic planning issues for the Village; and

WHEREAS, the Parties also wish to amend the Interchange Agreement in order to provide an earlier termination date of April 5, 2024.

NOW, THEREFORE, in consideration of the mutual covenants and provisions contained herein, the Parties agree as follows:

RECITALS

1. Paragraph (1) of the Agreement ("Purpose") is revised to read as follows:

PURPOSE. The purpose of this Agreement is to allow for the assignment of Kimberly Matthews ("Matthews") to serve as Advisor to the Council and the Manager during the transition period while the new Village Manager selected by the Village is being onboarded and beginning his duties.

2. Paragraph (4) of the Agreement ("Duties") is revised to read as follows:

DUTIES: Matthews shall provide general advice, counseling, and assistance during the transition period as well as advice regarding some strategic planning issues for the Village. Matthews shall continue to comply at all times with Chapter 112, part III (Section s112.311 et seq.) of the Florida Statutes, and the Florida Code of Ethics, as set forth in Section 2-52 of the Islamorada Code of Ordinances.

3. Pursuant to paragraph (3) of the Agreement (Term of Agreement), the term of the Employee Interchange Agreement shall end at 5:00 p.m. on April 5, 2024.

4. In all other respects, all terms and conditions set forth in the Agreement as amended remain unchanged and in full force and effect.

5. This Amendment shall be effective upon the date last signed by the Parties below.

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IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement as of the dates signed below.

Approved as to form and legal sufficiency for Monroe County, only:



Cynthia L. Hall, Sr. Ass't County Attorney

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA



By: Kevin G. Wilson
Kevin G. Wilson, Acting County Administrator
Date:

Approved as to form and legal sufficiency for the use of the Village Council only:


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John J. Quick, Village Attorney

ISLAMORADA, VILLAGE OF ISLANDS


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By: Joseph B. Pinder III
Joseph B. Pinder, III, Mayor
Date: 3/20/2024