

RESOLUTION NO. 24-02-14

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, APPROVING A RENEWAL OF
THE EMPLOYEE INTERCHANGE AGREEMENT WITH MONROE
COUNTY, FLORIDA FOR AN ADDITIONAL SIXTY (60) DAYS; 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, pursuant to the Second Amendment, the term of the Agreement currently runs through March 8, 2024; and

WHEREAS, Section 3 of the Agreement requires that the Agreement be reviewed no later than every sixty (60) days to determine whether the Village wishes to renew the Agreement; and

WHEREAS, the Village Council finds that renewal of the Agreement for an additional sixty (60) days is in the best interest of the Village and its residents;

WHEREAS, the Village Council approves and authorizes the sixty (60) day renewal of the Agreement commencing on March 9, 2024; 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 a sixty (60) day renewal the Agreement, as amended, is reasonable and appropriate. Pursuant to Section 3 of the Agreement, the Village Council hereby approves a renewal of the Agreement, as amended, for an additional sixty (60) days.

Section 3. **Execution of Agreement.** The Mayor is authorized to execute the Third Amendment to the Agreement (attached as Exhibit "A") 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.

Motion to adopt by Mark Gregg, seconded by Sharon Mahoney.

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 15th DAY OF FEBRUARY, 2024.

DocuSigned by:
Joseph B. Pinder III
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JOSEPH B. PINDER III, MAYOR

ATTEST:

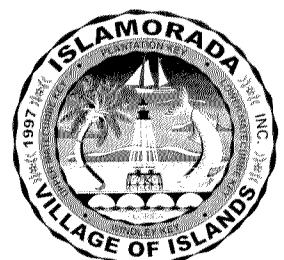
DocuSigned by:
Marne K. McGrath
608BA9A9B2704D5...

MARNE MCGRATH, VILLAGE CLERK

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

DocuSigned by:
John J. Quick
362DFAA7FD0D417...

JOHN J. QUICK, VILLAGE ATTORNEY



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

THIS THIRD 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, the Parties now wish to extend the Agreement for an additional time period of up to sixty (60) days while the Village is continuing its search for a Village Manager;

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

RECITALS

1. Pursuant to paragraph (3) of the Agreement (Term of Agreement), the term of the Employee Interchange Agreement shall be extended by an additional sixty (60) days, from March 9, 2024 to May 8, 2024.
2. Paragraph 9 of the Agreement ("Termination") remains in effect, stating that the Agreement may be terminated at any time with mutual consent of the Parties at the conclusion of fourteen (14) calendar days following delivery of an e-mail exchanged between the Village Mayor and County Administrator.
3. Senior Director Kimberly Matthews shall remain assigned to serve in the position of Interim Village Manager.
4. In all other respects, all terms and conditions set forth in the Agreement remain unchanged and in full force and effect.
5. This Amendment shall be effective upon the date last signed by the Parties below.

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

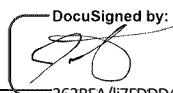
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: **Kevin Wilson** Digitally signed by Kevin Wilson, Date: 2024.02.27 13:41:09-0500

Kevin Wilson, Acting County Administrator
Date:

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

ISLAMORADA, VILLAGE OF ISLANDS

DocuSigned by:


John J. Quick, Village Attorney

By: **Joseph B. Pinder, III** Digitally signed by Joseph B. Pinder, III, Date: 2024.02.27 13:41:09-0500

Joseph B. Pinder, III, Mayor
Date: