

RESOLUTION NO. 19-07-46

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE INTERLOCAL AGREEMENT BETWEEN CITY OF LAYTON, FLORIDA AND ISLAMORADA, VILLAGE OF ISLANDS FOR BUILDING INSPECTION SERVICES; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 163, Florida Statutes provides for the execution of an Interlocal Agreement as a means for enabling local governments to cooperate and make the most efficient use of their powers; and

WHEREAS, Florida Statutes § 163.01 provides that local government entities may cooperate by agreement to provide necessary and essential public services; and

WHEREAS, Islamorada, Village of Islands (the “Village”) and the City of Layton (the “City”) occasionally need and require assistance with licensed inspectors; and

WHEREAS, the Village and City mutually desire to provide each other with reciprocal assistance by utilizing the services of each entity’s licensed building inspectors; and

WHEREAS, Village staff has prepared an Interlocal Agreement (“Agreement”), attached hereto as Exhibit “A”, providing the terms and conditions for reciprocal inspection services; and

WHEREAS, the Village Council finds that approval of the Agreement between Monroe County and the Village is in the best interest of the Village.

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 reference.

Section 2. Approval of Agreement. The Village Council hereby approves the Interlocal Agreement between the City of Layton and the Village for the Building Inspection Services, 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 his designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Agreement.

Section 4. 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 5. 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 6. Effective Date. This Resolution shall take effect immediately upon adoption.

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Motion to adopt by Councilman Ken Davis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Deb Gillis	YES
Vice Mayor Mike Forster	YES
Councilman Ken Davis	YES
Councilwoman Cheryl Meads	YES
Councilman Jim Mooney	YES

PASSED AND ADOPTED ON THIS 18TH DAY OF JULY, 2019.



DEB GILLIS, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

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



ROGET V. BRYAN, VILLAGE ATTORNEY

**INTERLOCAL AGREEMENT
FOR BUILDING INSPECTION SERVICES
BETWEEN
THE CITY OF LAYTON
AND
ISLAMORADA, VILLAGE OF ISLANDS**

THIS INTERLOCAL AGREEMENT is made and entered into this 1st day of August, 2019 between the City of Layton, Florida (the "City") and Islamorada Village of Islands (the "Village").

WITNESSETH:

WHEREAS, Florida Statutes Chapter 163 provides for the execution of an Interlocal Agreement as a means for enabling local governments to cooperate and make the most efficient use of their powers; and

WHEREAS, Florida Statutes § 163.01 provides that local government entities may cooperate by agreement to provide necessary and essential public services; and

WHEREAS, the Village and City occasionally need and require assistance with licensed inspectors; and

WHEREAS, the Village and City mutually desire to provide each other with reciprocal assistance by utilizing the services of each entity's licensed building inspectors.

NOW, THEREFORE, in consideration of the premises and undertaking contained herein the parties hereto agree as follows:

1. GENERAL

This Agreement is entered into pursuant to Florida Statutes § 163.01, the Florida Interlocal Cooperation Act.

2. COOPERATION

The parties agree to:

- a. Cooperate in providing licensed building inspector services for the other entity on an as needed basis, which may include:
 - b.
 - i. Building inspection in accordance with the Florida Building Code;
 - ii. Building Plan review for compliance with the Florida Building Code, wherein a single-family residential plan would be completed within ten (10) days; and
 - iii. Certified Building Official services as required.

- c. Require the specific licensed inspector services in writing to the other entity. If inspectors are not available, the requesting entity shall be notified by the other entity within twenty-four (24) hours. There is no obligation to accept the request.
- d. To bill the requesting and utilizing entity on a monthly basis for the work performed. Payment for such services rendered will be due within thirty (30) days of the billing date.

3. COMPENSATION

Islamorada, Village of Islands and the City of Layton will compensate each entity for the services rendered in according with the following rates:

- a. Building inspections: \$50.00 per inspection
- b. Building plans review: \$50.00 per hour
- c. Building Official authority: To be determined and agreed to in writing

4. TERMINATION

Either party may termination this Agreement without cause by giving thirty (30) days prior written notice to the other party.

5. WHOLE AGREEMENT

This Agreement embodies the whole understanding of the parties. There are no promises, terms, conditions, or obligations other than those contained herein. This Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto.

6. AMENDMENTS

This Agreement may only be amended by a written document signed by all parties and filed with the Monroe County Clerk of Court.

7. NOTICES

All notices, requests, consents, and other communications required or permitted under this agreement shall be in writing and shall be (as elected by the person giving such notice) hand-delivered by messenger or courier service, or mailed by registered or certified mail, addressed to:

To City:
City of Layton, Florida
Attn: City Clerk
68260 Overseas Highway
Long Key, Florida 33001
P.O. Box 778

To Village:
Islamorada, Village of Islands
Attention: Chief Building Official
86800 Overseas Highway
Islamorada, Florida 33036

or to such other address as the parties may from time to time specify in writing. Any such notice may at any time be waived by the person entitled to receipt of such notice.

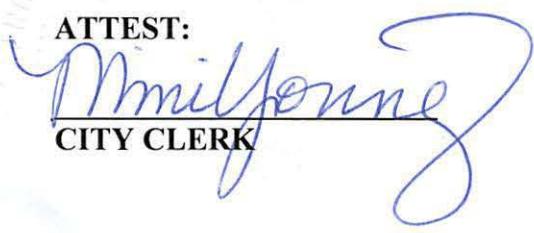
8. FILING

This Agreement shall be filed with the Monroe County Clerk of Court.

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IN WITNESS THEREOF, the parties hereto have executed this Agreement on the date first above written.

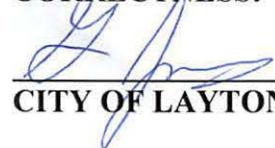
ATTEST:


Milly Jones
CITY CLERK

CITY OF LAYTON, FLORIDA


Brian Jell
MAYOR

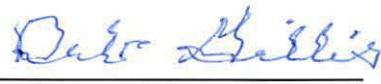
APPROVED AS TO FORM AND
CORRECTNESS:


G. J. Jones
CITY OF LAYTON ATTORNEY

ATTEST:


Stephanie Ondre for Kelly Toth
VILLAGE CLERK

ISLAMORADA VILLAGE OF ISLANDS


Dale Willis
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:


Village Attorney