RESOLUTION NO. 07-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED INTERLOCAL AGREEMENT BETWEEN MONROE COUNTY AND THE CITY FOR THE USE OF BUILDING AND/OR SPECIALTY INSPECTORS EMPLOYED BY ANOTHER LOCAL GOVERNMENT IN MONROE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Interlocal Agreement between Monroe County and the City is hereby approved.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 21 day of February, 2007.

Authenticated by the presiding officer and Clerk of the Commission on February 22, 2007.

Filed with the Clerk February 22, 2007.

MORGAN McPHERSON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

MEMORANDUM

CITY OF KEY WEST
Building Department

To: Julio Avael, City Manager

From: John Woodson, Building Director John P. Woodson 2-12-07

Date: February 12, 2007

Subject: Interlocal agreement for use of inspectors

Action Statement: Request City Commission approval of interlocal agreement with Monroe County to provide use of building inspectors and/or specialty inspectors on a temporary or emergency basis.

Background: From time to time, the City of Key West and Monroe County, due to manpower shortages or emergency situations, may have the need to call upon the other to provide qualified, licensed inspectors to conduct the various types of inspections, which are required under the Florida Building Code for a construction project to continue in a safe manner. The Florida Building Code enables inspectors employed by one local government to be competent to conduct inspections for another jurisdiction. A mechanism is needed so that a local government may be reimbursed for the costs associated with loaning the inspectors it employs to another local government entity. The attached interlocal agreement describes the logistics of responsibility, liability, and cost reimbursement.

Options:

1. Approve the interlocal agreement.
2. Disapprove the interlocal agreement.

Recommendation:

1. Approve the interlocal agreement.

Advantages:

When the City finds itself needing assistance on a temporary or emergency basis, Monroe County will be able to provide that service. This will reduce the necessity of utilizing our private providers for temporary or emergency services, which will result in a cost savings, and will also allow the Building Department to continue serving its citizens in the most efficient manner.

COPY

INTERLOCAL AGREEMENT

BETWEEN MONROE COUNTY AND THE CITY OF KEY WEST
PROVIDING FOR THE MUTUAL USE OF BUILDING AND/OR SPECIALTY
INSPECTORS EMPLOYED BY THE RESPECTIVE LOCAL GOVERNMENTS

This Interlocal Agreement is entered into by and between the City of Key West (hereinafter the "City") and the Board of County Commissioners of Monroe County, Florida (hereinafter the "County"), on this _____ day of February, 2007.

WHEREAS, the parties as local governments may entered into Interlocal Agreements pursuant to section 163.01, Florida Statutes for the purposes of providing assistance to each other and/or to reduce the cost burden to the taxpayer; and

WHEREAS, from time to time the City or the County, due to manpower shortages, may have the need to call upon the other to provide qualified, licensed inspectors to conduct the various types of inspections, which are required under the Florida Building Code for a construction project to continue in a safe manner; and

WHEREAS, under Florida law, there is a uniform building code throughout the State of Florida, known as the Florida Building Code, which enables inspectors employed by one local government to be competent to conduct inspections for another jurisdiction within Monroe County; and

WHEREAS, a mechanism is needed so that a local government may be reimbursed for the costs associated with loaning the inspectors it employs to another local government entity;

NOW THEREFORE, the City of Key West and Monroe County, through their respective elected governing bodies, hereby agree as follows:

1. When the Building Official of a local government covered by this agreement deems it necessary, he may call upon the Building Official of the other local government covered by this agreement to request assistance in providing licensed, competent building or specialty inspectors to assist in providing inspections under the Florida Building Code.

2. If such a request is made, licensed, competent inspectors from one local government may be assigned by his or her employer's Building Official to conduct inspections and other tasks as assigned by the requesting Building Official.

3. Inspectors shall be assigned at the discretion of the Building Official receiving the request.

4. The Building Official with responsibility for the project site shall bear the ultimate responsibility for the quality of work performed by the visiting inspector.

5. The requesting local government agrees to indemnify, defend, and hold harmless the inspector's employer for any and all claims brought against that local government which arise from the actions and/or omissions of the inspector provided.

6. The local government providing the inspector shall be entitled to recover the full cost for that inspector's time, including salary, benefits, taxes, and costs which were incurred while assisting the local government making the request.

7. The employing local government shall provide an invoice to document the costs it is seeking to recoup from the requesting local government.

8. The requesting local government shall pay said invoice in full within 30 days of receipt of that invoice.

9. This agreement may be terminated by either party upon 30-days written notice, or by shorter period if mutually agreed upon by both parties.

(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

By _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Mayor Mario DeGennaro

(SEAL)
ATTEST: CITY CLERK

By _____
City Clerk

CITY OF KEY WEST

By _____
Mayor Morgan McPherson