

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: February 20, 2008

Division: Public Works

Bulk Item: Yes X No

Department: Facilities Maintenance

Staff Contact Person: John W. King, 292-4431

AGENDA ITEM WORDING: Approval to execute an Interlocal Agreement with the City of Marathon for utilization of the County meeting room in Marathon for 11 City Council meetings.

ITEM BACKGROUND: On September 30, 2007, the Interlocal Agreement with the City of Marathon for use of the Marathon meeting room expired. At that time the City of Marathon elected not to enter into another agreement with the County for meeting room use. The City of Marathon would now like to enter into an agreement with the County for the period January 01, 2008 through September 30, 2008 to use the Marathon meeting room for 11 City Council meetings.

PREVIOUS RELEVANT BOCC ACTION:

CONTRACT/AGREEMENT CHANGES: New agreement.

STAFF RECOMMENDATIONS: Approval.

TOTAL COST: Revenue

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes X No **AMOUNT PER MONTH \$** **Year** \$10,973.21

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION:

AGENDA ITEM #

MEMORANDUM

DATE: December 31, 2007

TO: Dent Pierce, Division Director
Public Works

FROM: John W. King, Sr. Director
Lower Keys Operations

RE: Agenda Item – February 20, 2008 BOCC Meeting
City of Marathon Use of Meeting Room – Marathon
Government Center

On September 30, 2007, the Interlocal Agreement with the City of Marathon for use of the Marathon meeting room expired. At that time the City of Marathon elected not to enter into another agreement with Monroe County for meeting room use. The City of Marathon would now like to enter into an agreement with Monroe County for the period January 1, 2008 through September 30, 2008 to use the Marathon meeting room for 11 City Council meetings.

I hereby request approval to execute an Interlocal Agreement with the City of Marathon for utilization of the County meeting room at the Marathon Government Center.

JWK/jbw

Enclosures

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

CONTRACT SUMMARY			
Contract with: <u>City of Marathon</u>	Contract # _____	Effective Date: <u>01/01/08</u>	Expiration Date: <u>09/30/08</u>
Contract Purpose/Description: <u>Interlocal Agreement for the Use of the Meeting Room at the Marathon Government Center for the months January 2008 through September 2008 for 11 City Council meetings</u>			
Contract Manager: <u>Jo B. Walters</u> (Name)	<u>4549</u> (Ext.)	<u>Facilities Maint/Stop #4</u> (Department/Stop #)	
for BOCC meeting on <u>02/20/08</u> Agenda Deadline: <u>02/04/08</u>			

CONTRACT COSTS / REVENUE			
Total Dollar Value of Contract: \$	<u>REVENUE</u>	Current Year Portion:	<u>\$10,973.21</u>
Budgeted? Yes <input type="checkbox"/> No <input type="checkbox"/>	Account Codes: _____	_____	
Grant: \$ <u>N/A</u>	_____	_____	
County Match: \$ <u>N/A</u>	_____	_____	
ADDITIONAL COSTS			
Estimated Ongoing Costs: \$ _____/yr	For: _____	_____	
(Not included in dollar value above)		(eg. maintenance, utilities, janitorial, salaries, etc.)	

CONTRACT REVIEW				
	Date In	Changes Needed	Reviewer	Date Out
Division Director	<u>2/7/08</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>B. Leto</u>	<u>2/7/08</u>
Risk Management	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	<u>M. Lewis</u>	<u>2-6-08</u>
^{PSM} O.M.B./Purchasing	<u>2-6-08</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>F. Poo</u>	<u>2/6/08</u>
County Attorney	<u>2/1/08</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>Kevin Menas</u>	<u>2/4/08</u>
Comments: _____				

INTERLOCAL AGREEMENT FOR THE USE OF THE MEETING ROOM
AT THE MARATHON GOVERNMENT CENTER

THIS INTERLOCAL AGREEMENT is entered into pursuant to Sec. 163.01, FS, by and between MONROE COUNTY, a political subdivision of the State of Florida, whose address is 1100 Simonton Street, Key West, FL 33040, hereafter County, and the CITY OF MARATHON, a municipal corporation, whose address is 9805 Overseas Highway, Marathon, FL 33050, hereafter City.

WHEREAS, the County has a meeting room at the Marathon Government Center with the technical facilities to enable meetings to be cablecast;

WHEREAS, the County desires to permit the City to use the County meeting room; now therefore

IN CONSIDERATION of the mutual promises and covenants set forth below, the parties agree as follows:

Section 1.

- a) The County authorizes the City to hold 11 City Council meetings during the period January 1, 2008 through September 30, 2008 at the Marathon Government Center meeting room with each meeting approximately two weeks apart. The City must coordinate meeting dates with the Facilities Maintenance office so that no County/City schedule overlap occurs. The City will provide the meeting schedule prior to January 1, 2008. If a schedule conflict between a City Council meeting and a meeting of the County Commission, County Planning Commission, County Code Enforcement hearing or County Contractors Examining Board does occur, then the County meeting or hearing will take precedence.
- b) The County will televise live the City Council meetings, unless there is a meeting of the County Commission, County Planning Commission, County Code Enforcement hearing, County Contractors Examining Board or similar organization going on at the same time. If there is a County meeting or hearing going on, then the City Council meeting will be postponed until the County meeting or hearing has concluded. The City Council meeting will be televised live on Channel 76 as soon as the County meeting or hearing is concluded.
- c) Except as provided in Sec. 1(b), the County will replay each City Council meeting tape one time before the next City Council meeting. The City may request a specific time and date for each replay through the Technical Services office which shall accommodate the City's request unless the time requested by the City would conflict with a live telecast of a County meeting or hearing.
- d) The County will furnish the City one video tape copy of each City Council meeting.

Section 2.

From the effective date of this agreement, until September 30, 2008, City shall pay the County \$997.56 for each of the eleven City Council meetings to be held at the Marathon Government Center, televised live (if there is no conflict with a county meeting or hearing), meeting video tapes, and one replay on Channel 76 of each meeting. The amount shall be paid monthly based on the number of meetings to be held during such month. If the City Council holds meetings in excess of 11 during the period of January 1, 2008 through September 30, 2008, and desires that the extra meetings be held at the Marathon Government Center pursuant to this Agreement, then the City must pay the County an additional \$997.56 for each meeting held. If this Agreement is extended for subsequent years after September 30, 2008, then for each year thereafter the per meeting fee will be adjusted to reflect changes in County costs.

Section 3.

The term of the Agreement is from January 1, 2008 through September 30, 2008. Either party may terminate this Agreement without penalty upon thirty (30) days' prior written notice.

Section 4.

The parties to this agreement stipulate that each is a state governmental agency as defined by Florida Statutes and represents to the other that it has purchases suitable Public Liability, Vehicle Liability, and Workers' Compensation insurance, or is self-insured, in amounts adequate to respond to any and all claims within the limitations of Florida Statute 768.28 and 440, arising out of the activities governed by this agreement.

Each party shall be responsible for any acts of negligence on the part of its employees, agents, contractors, and subcontractors and shall defend, indemnify and hold the other party harmless from all claims arising out of such actions.

Section 5.

This agreement will take effect when executed certified copies are filed in the Office of the Clerk of the Sixteenth Judicial Circuit and in the Office of the Clerk of the City of Marathon, Florida.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date set forth below.

(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk
Date _____

By _____
Mayor/Chairperson

ATTEST:
By Diane Clavier
City Clerk

CITY OF MARATHON, FLORIDA
By Edward P. Wray
Marathon Mayor

Date 1-28-08

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Pedro J. Mercado
PEDRO J. MERCADO
ASSISTANT COUNTY ATTORNEY 2/4/08