

CITY COUNCIL RESOLUTION NO. 2021-160

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH COLUMBIA COUNTY, FLORIDA; PROVIDING FOR THE ENGAGEMENT OF THE COUNTY'S BUILDING OFFICIAL ON AN INTERIM BASIS TO ACT AS THE CITY'S BUILDING OFFICIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida (hereinafter the "City") is in need of a qualified building official; and

WHEREAS, the City and Columbia County, Florida (hereinafter the "County") have worked together for years to provide assistance to one another as needed; and

WHEREAS, the County employs a full-time building official who completes building inspections and otherwise fills the role of building official for the County; and

WHEREAS, the County is amenable to providing for the City's short-term need for a building official; and

WHEREAS, the City Council finds that the engagement of the County's building official is in the best interests of the City; and

WHEREAS, the City and County desire to memorialize their respective responsibilities in the attached *Interlocal Agreement between Columbia County, Florida and the City of Lake City, Florida for Interim Building Official* (hereinafter the "Interlocal Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

Section 2. The Mayor is authorized to execute the Interlocal Agreement.

Section 3. If any clause, section, or other part of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 4. Conflict. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5. This resolution shall become effective immediately upon passage and adoption:

PASSED AND ADOPTED at a meeting of the City Council this ____ day of November 2021.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney

**INTERLOCAL AGREEMENT BETWEEN COLUMBIA COUNTY, FLORIDA, AND
THE CITY OF LAKE CITY, FLORIDA FOR INTERIM BUILDING OFFICIAL**

THIS INTERLOCAL AGREEMENT is entered into this ____ day of _____, 2021, by and between **COLUMBIA COUNTY, FLORIDA**, a political subdivision of the State of Florida whose mailing address is Post Office Box 1529, Lake City, Florida 32056-1529, (herein the “County”), and **THE CITY OF LAKE CITY, FLORIDA**, a body politic of the State of Florida, with a mailing address of 205 North Marion Street, Lake City, FL 32055 (hereinafter the “City”).

WHEREAS, the City has historically employed its own building official for the purpose of conducting building inspections pursuant to the Florida Building Code; and

WHEREAS, the City’s building official has recently resigned, and no other City employee is qualified to make the inspections required of a building official; and

WHEREAS, the County employs a full-time building official who completes building inspections and otherwise fills the role of building official for the County; and

WHEREAS, to avoid delays in its building and permitting processes, the City desires to employ the County’s building official on an interim basis to act as the City’s building official; and

WHEREAS, the County is amenable to providing for the City’s short-term need pursuant to this agreement with the parties’ mutual understanding that any more permanent solution involving the sharing of this position will require a more extensive and comprehensive agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, and on the terms and conditions set forth, the parties agree as follows:

1. RECITALS INCORPORATED.

The recitals above are true and correct and are incorporated herein by reference.

2. TERM.

This agreement shall become effective upon the recording of this agreement in the Public Records of Columbia County and shall continue in full force and effect until amended, canceled, or superseded, but in no event for a period longer than twelve (12) months.

3. TERMINATION.

Any party to this agreement may terminate this agreement by giving thirty days’ written notice to the other party.

4. OBLIGATIONS OF THE CITY

The City shall continue to receive and process all building permits and complete all administrative functions for building projects within the territorial limits of the City.

The City shall continue to utilize its own Board of Adjustment and Planning and Zoning Boards.

The City by this agreement formally designates the County's building official as the City's building official. The City shall support the building official for so long as engaged pursuant to this agreement.

5. OBLIGATIONS OF THE COUNTY

The County shall permit its building official to provide building inspections pursuant to the Florida Building Code. The County shall not be obligated to provide staff support or any other personnel, and no one provided by or through the County shall be required to enforce or apply the City's jurisdictional land development regulations.

6. AMENDMENT.

Either party that desires to amend this agreement shall notify the other party in writing indicating the type of amendment desired and stating reasons for same. This agreement may be amended only by mutual written agreement of the parties.

7. INDEMNIFICATION.

Each party agrees to be fully responsible for its negligent acts or omissions which in any way relate to or arise out of this agreement. Nothing herein shall be construed as consent by an either party to be sued by third parties in any matter arising out of this agreement, or as a waiver of sovereign immunity by either party to which sovereign immunity applies.

8. NOTIFICATION.

Except as provided herein, any notice, acceptance, request, or approval from either party to the other shall be in writing and shall be deemed to have been received when either deposited in a United States Postal Service mailbox or personally delivered with signed proof of delivery. Alternatively, the parties may provide notice via verified electronic mail to the parties' respective official government email addresses provided below. The parties' representatives are:

County: County Manager
david_kraus@columbiacountyfla.com
Post Office Box 1529
Lake City, Florida 32056-1529

City: City Manager
williamsm@lcfla.com
205 N Marion Street
Lake City, FL 32055

9. SEVERABILITY.

If any provision of this agreement is declared void by a court of law, all other provisions shall remain in full force and effect.

10. RECORDING OF AGREEMENT, EFFECTIVE DATE.

The County, upon execution of this agreement by all the parties, shall record this Interlocal Agreement in the Public Records of Columbia County, Florida. Pursuant to Section 163.01 (11), Florida Statutes, this Agreement, executed by the parties hereto, shall be effective immediately upon filing with the Clerk of the Circuit Court of Columbia County.

IN WITNESS WHEREOF the parties have caused this instrument to be signed by their respective duly authorized officers or representatives as of the day and year first above written.

CITY OF LAKE CITY, FLORIDA

THE BOARD OF COUNTY
COMMISSIONERS FOR
COLUMBIA COUNTY, FLORIDA

Stephen Witt, Mayor

Rocky Ford, Chair

Attest:

Attest:

Audrey Sykes, City Clerk

James M. Swisher, Jr., Clerk of Courts

Approved as to Form:

Approved as to Form:

Fred Koberlein, City Attorney

Joel Foreman, County Attorney