

## CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 05/22/2017

Contract/Lease Control #: C17-2570-GM

Bid #: N/A

Contract/Lease Type: AGREEMENT

Award To/Lessee: CITY OF MARY ESTHER

Owner/Lessor: OKALOOSA COUNTY

Effective Date: 05/16/2017

Expiration Date: INDEFINITE

Description of Contract/Lease: AGREEMENT WITH MARY ESTHER FOR BUILDING DEPARTMENT SERVICES

Department: GM

Department Monitor: KAMPERT

Monitor's Telephone #: 850-689-5080

Monitor's FAX # or E-mail: EKAMPERT@CO.OKALOOSA.FL.US

Closed:

Cc: Finance Department Contracts & Grants Office

INTERLOCAL AGREEMENT  
between  
Okaloosa County, Florida and the City of Mary Esther, Florida  
Regarding  
Building Department Services

THIS AGREEMENT made and entered into on this 16<sup>th</sup> day of May, 2017, by and between the CITY OF MARY ESTHER, FLORIDA, hereinafter referred to as "City", and OKALOOSA COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "County", both of which understand and agree as follows:

*WHEREAS*, the parties hereto have the common power to establish code requirements for the construction of improvements and regulate and enforce such requirements by inspection within their geographic jurisdictions; and

*WHEREAS*, the City desires to contract with the County for said services; and

*WHEREAS*, the County is agreeable to provide these services under the terms and conditions hereinafter set forth.

WITNESSETH:

1. The purpose of this agreement is for the County to provide the following services to the City in the manner hereinafter set forth:
  - (a) The County will provide, through the Building Inspection Division of its Growth Management Department, building plans examination, inspections of all new installations and construction and re-inspections of all installations and construction in accordance with all State of Florida Building Codes and regulations.
  - (b) The County shall provide plan reviews, issue building and other applicable permits and issue Certificates of Occupancy for construction activity in accordance with the adopted Florida Building Codes and regulations.
  - (c) The County shall conduct and perform all Florida Building enforcement actions regarding complaints against contractors or builders before or after the permit has been issued. These matters shall be investigated and actions taken, if necessary.
  - (d) The County's Code Enforcement Division shall inform the City's Code Enforcement Division, in writing within 10 days, of any and all complaints and actions taken by the County within the City limits.
2. The Okaloosa County Construction Boards will have jurisdiction over all matters for which these Boards would have jurisdiction including contractor licensing, certification, and discipline. Nothing in this agreement shall prohibit the City from taking action for incidents which take place within the jurisdiction of the City of Mary Esther.

3. The County and City shall jointly administer this agreement by and through its departments and officers.

4. The Building Inspections Division of the Okaloosa County Growth Management Department shall, upon receipt of a City of Mary Esther Development Order issued by the City Manager or his/her designee and upon application, issue permits and make inspections of all new installations and construction and re-inspections of all installations and construction as provided in the State of Florida Building Codes and regulations.

(a) When a Contractor/Building or Owner requests a final inspection from the County for a Certificate of Occupancy, the County shall contact the City to determine if the City approves it for final inspection. If not, the County is notified by telephone or email; if yes, the City will provide to the Building Inspections Division a signed final approval.

(b) The County shall not issue any permits or make any inspections for demolition work, new installations, buildings, structures, roofing, and construction to include but not limited to gas, electrical, plumbing, mechanical, and irrigation without first verifying through the City that the said contractor has been registered through the City when a contract is utilized. The City will update its Contractor Tracking Certificate records on a regular basis to ensure minimal delays in permit processing.

5. The County shall collect the entire cost of performing each function or service called for herein from the applicant and at the rate charged to all other County applicants in accordance with Okaloosa County Code of Ordinances. The City is not precluded from collecting for the issuance of its Development Order, plan review fees, or any other enforcement costs within the scope of its Land Development Code or Code of Ordinances.

(a) The County shall provide the City's Planning and Zoning/Code Enforcement Division a weekly listing of all permits, Certificates of Occupancy (COs) and letters of Completion (LOCs) for the past week of operation and any other permitting and/or enforcement actions conducted and/or performed.

6. County rendering of services, standards of performance, discipline of officers, employees, and other matters incident to performance of services and control of county personnel shall remain in the County; wherein the County performs the service and is responsible. City rendering of services, standards of performance, discipline of officers, employees and other matters incident to performance of services and control of city personnel shall remain in the City; wherein the City performs the services and is responsible. In the event of dispute between the parties as to the extent of duties and functions to be rendered hereunder or the level or matter of performance of such service shall be by negotiation between the County and City; based upon facts presented by the County Manager and the City Manager.

7. To facilitate performance under this agreement, the County and City shall have the full cooperation and assistance from the officers, agents, and employees of the other.





**BOARD OF COUNTY COMMISSIONERS  
AGENDA REQUEST**

CA# 12

**DATE:** May 16, 2017  
**TO:** Honorable Chairman and Members of the Board  
**FROM:** Elliot Kampert  
**SUBJECT:** Approval of Agreement with Mary Esther for Building Department Services  
**DEPARTMENT:** Growth Management  
**BCC DISTRICT:** All

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**STATEMENT OF ISSUE:** Board of County Commissioners to consider entering into an Interlocal Agreement between Okaloosa County, Florida and the City of Mary Esther, Florida regarding Building Department Services whereby the County will provide building permit reviews and inspections on behalf of the City of Mary Esther within its corporate boundaries.

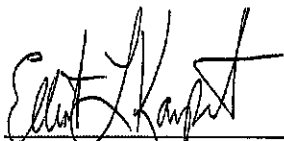
**BACKGROUND:** On May 15, 2012, Okaloosa County and the City of Mary Esther entered into a five (5) year interlocal agreement through which Okaloosa County provides building permit review and inspection services for construction projects within the City's corporate boundaries. The County does not enforce any other regulations inside the City limits, as the City has its own planning, zoning, and code enforcement functions. As the existing agreement expires on May 15, 2016, it is necessary to enter into a new agreement. The County collects its regular permit and inspections fees for work performed within the City.

The only difference between the 2012 agreement and the proposed 2017 agreement is that the 2017 agreement is for an indefinite period, whereas the 2012 agreement was for five years (hence this renewal). Since it is for an indefinite period, the proposed agreement provides that it may be terminated by either party following a 90 day notice period.

The Mary Esther City Council approved the attached Interlocal Agreement during its regular meeting of May 1, 2017.

**OPTIONS:** The Board of County Commissioners may approve or not approve the proposed Interlocal Agreement.

**RECOMMENDATIONS:** Staff recommends approval of the attached Interlocal Agreement between Okaloosa County, Florida and the City of Mary Esther, Florida regarding Building Department Services.

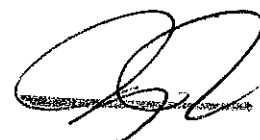


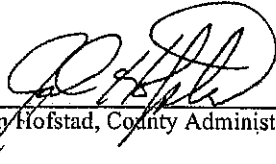
\_\_\_\_\_  
Elliot Kampert, Director

5/5/2017

**RECOMMENDED BY:**

**SCANNED**





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John Hofstad, County Administrator

5/10/2017

**APPROVED BY:**

**John Hofstad, County Administrator**

## CONTRACT & LEASE INTERNAL COORDINATION SHEET

Contract/Lease Number: <u>NA</u>	Tracking Number: <u>2402-17</u>
Contractor/Lessee Name: <u>City of Mary Estler</u>	Grant Funded: YES ___ NO <u>X</u>
Purpose: <u>to provide building permits review &amp; inspections</u>	
Date/Term: <u>May 16-2017-indefinite</u>	1. <input type="checkbox"/> GREATER THAN \$50,000
Amount: _____	2. <input type="checkbox"/> GREATER THAN \$25,000
Department: <u>CM</u>	3. <input type="checkbox"/> \$25,000 OR LESS
Dept. Monitor Name: <u>Elliot Kanjert</u>	
Document has been reviewed and includes any attachments or exhibits.	

### Purchasing Review

Procurement requirements are met:

OK A

Purchasing Director or designee

Date: 5-4-17

Greg Kisela, Charles Powell, DeRita Mason, Matthew Young

### Risk Management Review

Approved as written:

Laura J. Porter

Risk Manager or designee

Laura Porter or Krystal King

Date: 5/5/17

### County Attorney Review

Approved as written: see attached letter

County Attorney

Gregory T. Stewart, Lynn Hoshihara, Kerry Parsons or Designee

Date: 5-5-17

Following Okaloosa County approval:

### Contracts & Grants

Document has been received:

\_\_\_\_\_  
Contracts & Grants Manager


Date: \_\_\_\_\_

## CONTRACT & LEASE INTERNAL COORDINATION SHEET

Contract/Lease Number: _____	Tracking Number: _____
Contractor/Lessee Name: <u>City of Mary Esther</u>	Grant Funded: YES ___ NO <u>x</u>
Purpose: <u>To provide buuilding permit reviews and inspections</u>	
Date/Term: <u>May 16, 2017 - indefinite</u>	1. <input type="checkbox"/> GREATER THAN \$50,000
Amount: <u>Indefinite</u>	2. <input type="checkbox"/> GREATER THAN \$25,000
Department: <u>Growth Management/Inspections</u>	3. <input type="checkbox"/> \$25,000 OR LESS
Dept. Monifor Name: <u>Kampert</u>	
Document has been reviewed and includes any attachments or exhibits.	

<b>Purchasing Review</b>	
Procurement requirements are met:	
_____	Date: _____
Purchasing Director or designee	

<b>Risk Management Review</b>	
Approved as written:	
_____	Date: _____
Risk Manager or designee	

<b>County Attorney Review</b>	
Approved as written:	
	Date: <u>5-4-17</u>
County Attorney	

Following Okaloosa County approval:

<b>Contracts &amp; Grants</b>	
Document has been received:	
_____	Date: _____
Contracts & Grants Manager	