

**RESOLUTION NO. 2021-003**

**A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, PURSUANT TO SECTION 36.25(I) OF THE VILALGE CODE OF ORDINANCES, APPROVING AN EMERGENCY ONE YEAR LEASE WITH CAUSEWAY TOWERS FOR THE RELOCATION OF STAFF FROM THE DISPATCH CENTER, AND APPROVING THE EMERGENCY, TEMPORARY SHORING OF THE STAIRWELL AT THE DISPATCH CENTER; APPROVING BUDGETARY TRANSFERS TO COVER EXPENSES INCURRED FOR SAME; AUTHORIZING THE VILLAGE MANAGER TO ENTER AN AGREEMENT AND TO EXPEND BUDGETED ITEMS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on December 30, 2020, Florida Air Quality Solutions, Inc. performed a limited fungal contamination assessment at North Bay Village (the “Village”) Dispatch Center, located at 1841 Galleon Street; and

**WHEREAS**, based on the data obtained in the fungal contamination testing and visual observations, it suggests that the location has been affected by fungal contamination as a result of water damage in the walls and ceilings and around the HVAC diffusers; and

**WHEREAS**, also in December 2020, an inspection by Village Chief Building Official Marc Jean was performed, and he declared the stairwell and column were failing structurally. The stairwell should be closed, and the earth mound where the building sits is showing significant erosion, causing small cracks in the floor, walls, and settling of the second floor landing; and

**WHEREAS**, the Village must take immediate action to protect the Village's employees, as well as shore up the building until such time as permanent solutions can be found; and

**WHEREAS**, Section 36.25(l) of the Village's Code of Ordinances (the "Code") provides that, notwithstanding any other provisions of the Code, the Village Manager may make emergency procurements of goods and services when there exists a threat to public health, welfare, or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances; and

**WHEREAS**, in light of the possibly unsafe conditions, and to preserve the health and safety of the Village's employees, the Village Manager has recommended the following immediate action:

- A new lease, or an amendment to the current lease, with Causeway Towers, at 1666 Kennedy Causeway, relocating staff on the second floor on the Dispatch Center, at a cost of \$20.00/rsf or \$2,825.00 per month for one (1) year. Staff located on the second floor consists of Dispatch/Communications, Records, Armory, IT(Server Room), and Property & Evidence; and
- Temporary shoring of the stairwell at a cost \$4,157.25. We recommend holding a workshop at a later date, to determine if the building should be remediated of mold or demolished and redeveloped.

**WHEREAS**, to cover the costs, staff is recommending budgetary transfer as follows:

- \$24,013.00 from 430.30.533.4604 R&M Building to 430.30.533.4403 Building Lease
- \$4,157.25 from 430.30.533.9000 Contingency for Emergency to 430.30.533.4604 R&M Building.

**WHEREAS**, the Mayor and Commission believe that the foregoing solutions are necessary to protect the health, safety, and welfare of the public and employees and are in the best interest of the Community.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

**Section 2. Approval.** Pursuant to Section 36.25(l) of the Village Code of Ordinances, the following actions to address the possibly unsafe conditions at the Dispatch Center are hereby approved:

- A new lease, or an amendment to the current lease, with Causeway Towers, at 1666 Kennedy Causeway, relocating staff on the second floor on the Dispatch Center, at a cost of \$20.00 per sq. ft, or \$2,825.00 per month, for one (1) year; and
  - Temporary shoring of the stairwell at a cost \$4,157.25.

To fund the costs of the foregoing actions, the following budgetary transfers are approved:

- \$24,013.00 from 430.30.533.4604 R&M Building to 430.30.533.4403 Building Lease; and

- \$4,157.25 from 430.30.533.9000 Contingency for Emergency to 430.30.533.4604 R&M Building.

The City Manager is authorized to enter into agreements, subject to approval as to form and legal sufficiency by the City Attorney, and to expend budgeted funds in furtherance hereof.

**Section 3. Implementation.** The Village Manager, Clerk, and Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

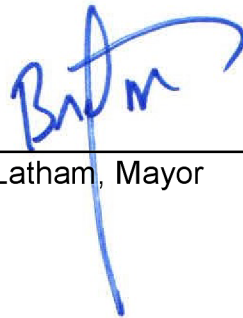
**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

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The foregoing Resolution was offered by Commissioner Chervony who moved its adoption. The motion was seconded by Vice Mayor Wilmoth and upon being put to a vote, the vote was as follows:

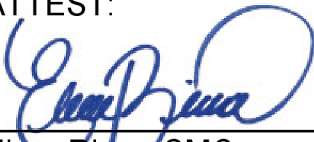
Mayor Brent Latham	<u>YES</u>
Vice Mayor Marvin Wilmoth	<u>YES</u>
Commissioner Richard Chervony	<u>YES</u>
Commissioner Rachel Streitfeld	<u>YES</u>
Commissioner Julianna Strout	<u>YES</u>

**PASSED AND ADOPTED** on this 12<sup>th</sup> day of January, 2021.



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Brent Latham, Mayor

ATTEST:



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Elora Riera, CMC  
Village Clerk

APPROVED AS TO LEGAL SUFFICIENCY:



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Weiss Serota Helfman Cole & Bierman, PL  
Village Attorney

Village Attorney

