



Budget Amendment Form

BA0000347

Department	Legal Department/Village Commission	Date	7/18/2024
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Fund(s) to be changed: General Fund

GL Account	GL Line Item	Transfer to:	Transfer from:
001.15.514.3101	Labor Attorney Negotiations	\$ 30,000.00	
001.15.514.3102	Other Legal Fees		\$ 30,000.00
001.15.514.5311	Village Attorney - Litigation	\$ 35,000.00	
001.00.389.3891	Appropriation of Unreserved Fund Balance		\$ 35,000.00
001.11.511.3102	Other - Legal	\$ 25,000.00	
001.00.389.3891	Appropriation of Unreserved Fund Balance		\$ 25,000.00
TOTAL (Columns must be equal)		\$ 90,000.00	\$ 90,000.00

Description:
 Increase the Village Attorney Labor Attorney Negotiations & Litigation accounts and increase the Village Commission - Other Legal Fees from \$50,000 to \$75,000 for the Mayor's Legal Fees.



NORTH BAY VILLAGE
EST. 1945

ITEM NO. 11.A

North Bay Village Recommendation Memorandum

DATE: July 18, 2024

TO: Honorable Mayor, Vice Mayor and Members of the Village Commission

FROM: Haydee Sera, Village Attorney

SPONSORED BY:

SUBJECT: A Resolution Approving a Budget Amendment for Legal Department and Village Commission Legal Defense Fees - Village Manager Ralph Rosado, PhD, AICP; Village Attorney Haydee Sera, Esq.

RECOMMENDATION

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024 TO APPROPRIATE FUNDS TO THE VILLAGE ATTORNEY DEPARTMENT BUDGET TO COVER LEGAL FEES RELATING TO LITIGATION, LABOR AND EMPLOYMENT, AND OTHER LEGAL ISSUES, AS WELL AS TO APPROPRIATE FUNDS TO THE VILLAGE COMMISSION BUDGET FOR LEGAL SERVICES RELATING TO LEGAL DEFENSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

A budget amendment is requested to cover the costs of the Village Attorney's legal fees for work performed pertaining to litigation and labor and employment matters. The proposed budget amendment is due to unanticipated litigation (e.g., *World Eleven, Inc. v. North Bay Village, et al*; *McKnight, et al. v. North Bay Village, et al.*) and labor and employment matters.

An increase to the Labor and Employment budget (GL 001.15.514.3101) is proposed from \$20,000 to \$50,000.

To effectuate the increase to the Labor and Employment budget (GL 001.15.514.3101), it is proposed to decrease the "Other Legal Issues" budget (GL 001.15.514.3102) from \$210,000

to \$180,000 and move the \$30,000 to the Labor and Employment budget (GL 001.15.514.3101).

An increase to the Litigation budget (GL 001.15.514.5311) is proposed from \$150,000 to \$185,000.

To effectuate the increase to the Litigation budget (GL 001.15.514.5311), it is proposed to transfer \$35,000 from Unreserved Fund Balance to the Litigation budget.

No amendments are proposed for the General Village Attorney Budget (GL 001.15.514.5310).

In addition, an increase to the Village Commission - Other Legal Fees budget (GL 001.11.511.3102) is proposed from \$50,000 to \$75,000. The proposed increase is to provide for continued legal defense expenses as further explained in Resolution 2024-008.

Discussion of this item will help to make North Bay Village safer and more transparent; as such, it promotes the pillar of Efficiency.

Efficiency: North Bay Village seeks to minimize the wasting of materials, energy, efforts, money, and time in doing something or in producing a desired result.

BUDGETARY/FINANCIAL IMPACT (Finance Dept.)

As indicated in the attached budget amendment.

PERSONNEL IMPACT

NONE

ATTACHMENTS

[Resolution Budget Amendment - Legal Department.DOCX](#)
[Budget Amendment Form-Legal Fees.pdf](#)

RESOLUTION NO. 2024-074

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024 TO APPROPRIATE FUNDS TO THE VILLAGE ATTORNEY DEPARTMENT BUDGET TO COVER LEGAL FEES RELATING TO LITIGATION, LABOR AND EMPLOYMENT, AND OTHER LEGAL ISSUES, AS WELL AS TO APPROPRIATE FUNDS TO THE VILLAGE COMMISSION BUDGET FOR LEGAL SERVICES RELATING TO LEGAL DEFENSE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 28, 2023, the North Bay Village (the "Village") Commission adopted Resolution No. 2023-109 approving the budget for fiscal year 2023-2024 (the "Budget"); and

WHEREAS, pursuant to Section 166.241, Florida Statutes, the Village Commission may amend a budget at any time within a fiscal year; and

WHEREAS, pursuant to Section 35.21 of the Village Code of Ordinances and Florida Law, the Village Commission desires to amend the Budget consistent with the staff memorandum accompanying this resolution by authorizing the line item transfers as further provided in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the Village Commission finds that this Resolution is in the best interest and welfare of the residents of the Village.

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

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Amending Budget. That the Village Commission hereby approves an amendment to the budget by authorizing the line item transfers as further provided in Exhibit "A" attached hereto and incorporated herein.


Section 3. Implementation. That the Village Manager, Village Clerk, and Village 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. That this Resolution shall be effective immediately upon adoption.

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

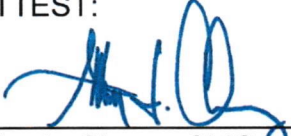
Mayor Brent Latham	<u>Absent</u>
Vice Mayor Richard Chervony	<u>Yes</u>
Commissioner Goran Cuk	<u>Yes</u>
Commissioner Andy Rotondaro	<u>Yes</u>
Commissioner Rachel Streitfeld	<u>Yes</u>

PASSED AND ADOPTED on this 18th day of July, 2024.

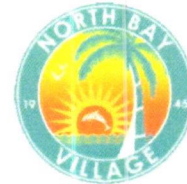


Brent Latham, Mayor

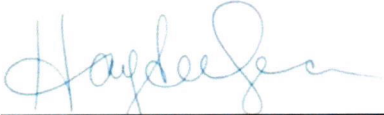
ATTEST:



Alba L. Chang, CMC
Village Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Weiss Serota Helfman Cole & Bierman, PL
Village Attorney