



NORTH BAY VILLAGE
EST. 1945

North Bay Village Recommendation Memorandum

ITEM NO. 11.P

DATE: June 11, 2024

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

FROM: Leo Cosio,

**SPONSORED
BY:**

SUBJECT: A Resolution Authorizing the Village Manager to Execute an Agreement with Xavier Cortada, Inc. for Public Art Projects - Ralph Rosado, Ph.D., AICP

RECOMMENDATION

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH XAVIER CORTADA, INC. FOR A PUBLIC ART MURAL AT TREASURE ISLAND ELEMENTARY SCHOOL IN AN AMOUNT NOT TO EXCEED \$20,000.00; AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

It is recommended that the Village Commission authorize the Village Manager to negotiate and execute an agreement with Xavier Cortada, Inc. for Public Art Mural at Treasure Island Elementary School.

BACKGROUND AND ANALYSIS

Staff respectfully requests consideration and approval of the proposed resolution that would authorize the Village Manager to engage eco-artist Xavier Cortada, Miami-Dade County's Artist-in-Residence. Mr. Cortada's project consists of two parts. Firstly, he will create an environmental-themed mural at Treasure Island Elementary School and conduct an interactive presentation for NBV Summer Camp attendees, focusing on sea level rise and climate change. Attendees will have the opportunity to create and take home their own elevation yard signs displaying their home's elevation above sea level. Secondly, Mr. Cortada will create a sculpture for the Village's Public Art Program, serving as an elevation marker to be placed at Vogel Park.

Appropriation of Fund Balance - from the General Fund will be transferred to to the Capital Projects Funds for both Xavier Cortada Public Art Projects. Projects CP24-11 TIES

Underwater Mural (\$15,000) & CP24-12 Vogel Park Underwater Sculpture (\$5,000) have been created in the Capital Project Fund.

It is recommended that the Village Commission authorize the Village Manager to negotiate and execute an agreement with Xavier Cortada, Inc for Public Art Mural at Treasure Island Elementary School.

BUDGETARY/FINANCIAL IMPACT (Finance Dept.)

Transfer from Appropriation of Fund Balance (General Fund) (001.00.389.3890) \$20,000 and Transfer to Park Improvements (Capital Projects Fund) (320.61.630.6201)

PERSONNEL IMPACT

NONE

ATTACHMENTS

[Resolution - Xavier Cortada Art.DOCX](#)

[Cortada Invoice.pdf](#)

[Exhibit A - Budget Amendment- Xavier Cortada Art Projects.pdf](#)



Budget Amendment Form

Department : Capital Projects	Date : 6/11/2024
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Fund(s) to be changed: Capital Projects Fund/General Fund

GL Account	GL Line Item	Project:	Transfer to:	Transfer from:
320.61.630.6201	Park Improvements	CP24-11 TIES Underwater Mural	\$ 15,000.00	
320.61.630.6201	Park Improvements	CP24-12 Vogel Park - Underwater Sculpture	\$ 5,000.00	
320.00.381.3801	Transfer from General Fund			\$ 20,000.00
001.19.519.9132	Transfer to Capital Projects Fund		\$ 20,000.00	
001.00.389.3890	Appropriation of Fund Balance			\$ 20,000.00
TOTAL (Columns must be equal)			\$ 40,000.00	\$ 40,000.00

Description:

Transfer \$20,000 of General Fund Balance to the Capital Projects Fund for the Xavier Cortada TIES - The Underwater Mural & Sculpture Public Art Projects#CP24-11 & #CP24-12.

RESOLUTION NO. 2024-064

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH XAVIER CORTADA, INC. FOR A PUBLIC ART MURAL AT TREASURE ISLAND ELEMENTARY SCHOOL AND VOGEL PARK IN AN AMOUNT NOT TO EXCEED \$20,000.00; AMENDING THE BUDGET FOR FISCAL YEAR 2023-2024; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, North Bay Village (the "Village") wishes to increase public art installations throughout the Village and, towards that end, install a public art project at Treasure Island Elementary School and Vogel Park (the "Project"); and

WHEREAS, Xavier Cortada, through Xavier Cortada, Inc., (the "Artist") has proposed to paint an environmental themed mural for the Project as further set forth in the staff memorandum accompanying this resolution; and

WHEREAS, Section 36.25(L) of the Village Code provides that the Village Commission may award a contract without sealed bidding upon a finding that the process of competitive bidding and competitive proposals is not in the best interest of the Village; and

WHEREAS, due to the artistic and specialized nature of the services offered by the Artist, Village staff recommends that the Village waive competitive bidding as it is not in the best interest of the Village to competitively bid the services; and

WHEREAS, pursuant to Section 36.25(L) of the Village Code, the Village Commission desires to authorize the Village Manager to negotiate and execute an agreement with the Artist in an amount not to exceed \$20,000, consistent with the staff memorandum accompanying this resolution and subject to approval by the Village Attorney as to form, content, and legal sufficiency; and

WHEREAS, on September 28, 2023, 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, in order to provide the necessary funding for the services and 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. Authorization. Pursuant to Section 36.25(L) of the Village Code, the Village Commission hereby authorizes the Village Manager to negotiate and execute an agreement with the Artist for the Services in an amount not to exceed \$20,000, consistent with staff memorandum accompanying this resolution and subject to approval by the Village Attorney as to form and legal sufficiency.

Section 3. 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.

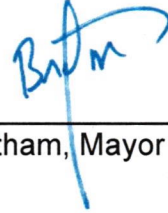
Section 4. Implementation. That the Village Manager and Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 5. Effective Date. That this Resolution shall be effective immediately upon adoption.

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

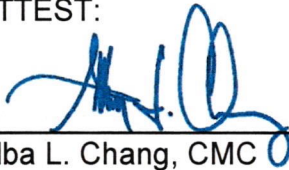
Mayor Brent Latham	<u>Yes</u>
Vice Mayor Richard Chervony	<u>No</u>
Commissioner Goran Cuk	<u>Yes</u>
Commissioner Andy Rotondaro	<u>Yes</u>
Commissioner Rachel Streitfeld	<u>Yes</u>

PASSED AND ADOPTED on this 11th day of June, 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



Budget Amendment Form

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