

**VILLAGE OF PALMETTO BAY, FLORIDA
MINUTES OF THE THURSDAY, MARCH 6, 2003
SPECIAL MEETING OF THE VILLAGE COUNCIL**

900 PERRINE AVENUE
PALMETTO BAY, FLORIDA

- I. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE:** Mayor Flinn called the meeting to order at 6:30 p.m. The following members of the Village Council were present:

Mayor Eugene P. Flinn, Jr.
Vice Mayor Linda Robinson
Councilmember John Breder
Councilmember Ed Feller
Councilmember Paul Neidhart

The following staff members were present:

Village Manager Charles D. Scurr
Assisting Village Manager Joe I. Rasco
Village Attorney Luis Figueredo
Acting Village Clerk Meighan Pier

At the Mayor's request, Attorney Figueredo led the pledge of allegiance.

II. PROCLAMATIONS, AWARDS, PRESENTATIONS

None at this time.

III. APPROVAL OF MINUTES

None at this time.

IV. VILLAGE MANAGER'S REPORT

None at this time.

V. VILLAGE ATTORNEY'S REPORT

None at this time.

VI. BOARD AND COMMITTEE REPORTS

None at this time.

VII. CONSENT AGENDA

None at this time.

VIII. RESOLUTIONS

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO STATE LEGISLATIVE SERVICES; AWARDED A CONTRACT FOR STATE LEGISLATIVE SERVICES TO THE JOINT VENTURE OF RONALD L. BOOK, P.A. AND ROBERT M. LEVY & ASSOCIATES IN THE AMOUNT OF \$6,000.00 PER MONTH FOR A TERM OF 6 MONTHS; DETERMINING IN ACCORDANCE WITH SECTION 3.10 (A) OF THE VILLAGE CHARTER THAT IT IS IMPRACTICABLE AND NOT ADVANTAGEOUS TO THE VILLAGE TO COMPETITIVELY BID THIS CONTRACT; PROVIDING AN EFFECTIVE DATE.

Mr. Robert Levy and staff joined the meeting via conference call.

Mr. Scurr explained the government session time line. He advised that normally the Village would procure the services of a lobbyist through a competitive bid process; however, due to the brevity of the session, in accordance with Section 3.10(A) of the Village Charter, it was not practicable or advantageous to do so. He reported that the Village had received a proposal from Ronald Book and Robert Levy (joint venture) regarding lobbying services. Mr. Scurr stated that staff had negotiated a monthly retainer of \$6,000 per month for a period of six months, following which time the Village would prepare a Request for Proposals (RFP). He asked Mr. Levy for his opinion regarding the Village's pending legislative requests.

Mr. Levy stated that his opinion would be premature, as the session had just begun. He remarked that when revenue streams become available, Book and Levy would work diligently to insure that the Village is provided funding for local projects. He added that his firm would provide the "best representation" possible, and without representation, it would be unlikely that the Village would receive any funding. Mr. Levy concluded that it behooves his firm to produce in order to be considered following six months when competitive bidding begins.

Vice Mayor Robinson stated that she is in favor of utilizing the lobbyists, but wondered if the contract could be written month-to-month.

Mr. Scurr replied that six months would carry the Village through the legislative process.

Councilmember Feller remarked that lobbyists bring the Village name to the forefront and believes that the Village is investing the funds with hope for a return.

Mayor Flinn concurred, adding that the lobbyists are not guaranteeing results; however, there is some expectation of success.

Brief discussion ensued. Attorney Figueredo advised that the Motion would have to be passed by a 4/5 vote as the resolution specifically waives competitive bidding in accordance with the Charter.

A Motion to approve was made by Councilmember Breder. Seconded by Councilmember Neidhart. Resolution 03-24 was adopted by unanimous roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative.

B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO VILLAGE MANAGER; APPROVING AMENDMENTS TO EMPLOYMENT CONTRACT; PROVIDING AN EFFECTIVE DATE.

A Motion to bring the item to the floor was made by Vice Mayor Robinson. Seconded by Councilmember Feller.

Attorney Figueredo described the amendments:

- Section 6.1 – Benefits: Personal Time Off (PTO) would accrue one day per bi-weekly pay period.
- Section 6.4: added language to assure that when the Village selects a retirement program, that a sum equal to 11% of the Manager’s salary would be provided into a retirement instrument. For example, the excess could be provided as deferred compensation, if necessary.
- Section 10.1 – Termination of Agreement: Language was included that specified that PTO would be valued based on the Manager’s salary at the time of termination.

Councilmember Feller noted that the Manager currently has not accrued PTO and wondered how the Manager would be treated if he became ill in the near future.

Mayor Flinn noted that he offered Mr. Scurr the opportunity to have PTO credited to the time that Mr. Scurr spent volunteering his assistance.

Councilmember Feller moved to amend the contract to provide retroactive PTO time in the amount of nine days. Seconded by Vice Mayor Robinson. All voted in favor.

Resolution 03-25 was adopted by unanimous roll call vote. The vote was as follows: Councilmember Feller, Councilmember Neidhart, Councilmember Breder, Vice Mayor Robinson, and Mayor Flinn voting in the affirmative.

IX. RESOLUTIONS REQUIRING PUBLIC HEARING

None at this time.

X. ORDINANCES FOR FIRST READING AND EMERGENCY ORDINANCES

None at this time.

XI. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

None at this time.

XII. PUBLIC COMMENTS

None at this time.

XIII. MAYOR AND COUNCIL COMMENTS

None at this time.

XIV. OTHER BUSINESS

None at this time.

XV. NEXT MEETING AND ADJOURNMENT

Councilmember Feller moved to adjourn. Seconded by Councilmember Breder. All voted in favor. The meeting was adjourned at 7:15 p.m.

Prepared and submitted by:

*Meighan J. Pier
Acting Village Clerk*

*Adopted by the Village Council on
this _____ day of April, 2003.*

Eugene P. Flinn, Jr., Mayor