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RESOLUTION NO. 2020-36

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, INCREASING THE COMPENSATION OF THE VILLAGE CLERK DURING HER TENURE AS THE INTERIM VILLAGE MANAGER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, effective July 16, 2020 the Village Commission appointed the Village Clerk, Roseann Prado, as the Interim Village Manager until the position of permanent Village Manager is otherwise filled by the Village Commission; and

WHEREAS, during her tenure as Interim Village Manager, Ms. Prado will continue to serve as the Village Clerk; and

WHEREAS, the Village Commission finds it to be in the best interests of the residents of the Village to increase the salary of the Village Clerk during her tenure as the Interim Village Manager to reflect the additional responsibilities she is undertaking.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

Section 2. Clerk's Appointment as Interim Village Manager & Compensation. The Village Commission ratifies the appointment of the Village Clerk – Roseann Prado – as the Interim Village Manger retroactive to July 16, 2020 and authorizes an increase in the salary of Village Clerk/Interim Village Manager Roseann Prado as follows:

1. Bi-weekly salary increase of \$ \$ 576.92 with contributions to the Florida Retirement System (FRS) calculated at the rate of 21.43% (HM/PM Senior Management Service Class).

Mrs. Prado shall serve as Interim Village Manager of the Village of Biscayne Park and have the authority to discharge those duties and responsibilities set forth in the Village Charter and Code of Ordinances until the Village Commission appoints a permanent Village Manager. Upon the appointment of a permanent Village Manager, Mrs. Prado will return to her position of Village Clerk at her then current salary with contribution to the FRS calculated at the rate of 7.26% (RA/QA Regular).

Section 3. Severability. If any section, sentence, clause or phrase herein is held to be invalid by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

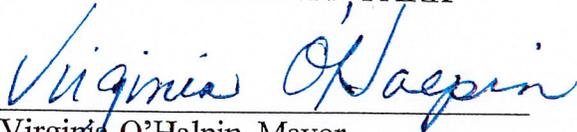
1 Section 4. Effective Date. This Resolution shall become effective immediately upon its
2 adoption.

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4 PASSED AND ADOPTED this 4th day of August, 2020.

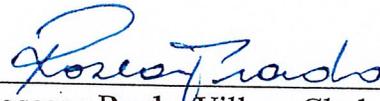
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6 The foregoing Resolution was offered by Vice-Mayor Kennedy, who moved its adoption. The
7 motion was seconded by Mayor O'Halpin, and upon being put to a vote the vote was as follows:

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9	Virginia O'Halpin, Mayor	Yes
10	MacDonald Kennedy, Vice Mayor	Yes
11	Daniel Samaria, Commissioner	Yes
12	Roxanna Ross, Commissioner	No
13	William Tudor, Commissioner	Yes
14		

15 VILLAGE OF BISCAYNE PARK

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19 Virginia O'Halpin, Mayor

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23 ATTEST:

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26 _____
27 Roseann Prado, Village Clerk

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30 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
31 USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:

32 
33 _____
34
35 John R. Herin, Jr., Interim Village Attorney

Agreement for Interim Village Manager

THIS AGREEMENT (the “Agreement”) is made and entered into this 23rd day of July, 2020 between the Village of Biscayne Park (the “Village”) and Roseann Prado (the “Employee”), pursuant to the following terms and conditions:

WHEREAS, the Village is organized under its Charter as a Commission-Manager form of government; and

WHEREAS, pursuant to the Village’s Code of Ordinances, the day to day management of the Village is provided by a professional Village Manager; and

WHEREAS, effective July 13, 2020, the position of Village Manager for the Village of Biscayne Park will become vacant; and

WHEREAS, employee currently serves as Village Clerk since April 16, 2018, and

WHEREAS, because of the Employee’s unique knowledge and experience working with the Village Commission, staff, on-going projects, and the community, the Village desires to employ Employee as Interim Village Manager until such time a new Village Manager has been selected; and

WHEREAS, the Village desires for the Employee to resume her position of Village Clerk when a new Village Manager is in place.

NOW THEREFORE, in consideration of the mutual promises contained herein, and based upon the provisions set forth above, Village and Employee agree as follows:

Section 1: Duties and Authority

Employee shall serve as Interim Village Manager of the Village of Biscayne Park and have the authority to discharge those duties and responsibilities set forth in its Code of Ordinances.

Upon the appointment of a new Village Manager, Employee returns to her current position of Village Clerk.

Section 2: Term of Agreement

This agreement will go into effect on July 23, 2020, and will terminate on the start date of the newly appointed Village Manager.

Section 3: Hours and Compensation

During her employment, Employee shall devote such time, interest and effort to the performance of this Agreement as is necessary to duly carry out the duties and responsibilities of

the position. Employee shall be paid an additional amount of \$ 15,000.00 annually which reflects an additional amount of \$ 576.92 to the Employee regular bi-weekly in accord with the Village's regular payroll cycle, and subject to withholding required by law. Contribution to the Florida Retirement System (FRS) will be calculated at the rate of 21.43% (HM/PM Senior Management Service Class).

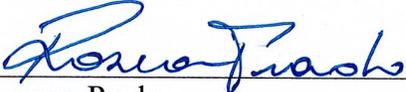
Upon the appointment of a new Village Manager, Employee will return to her current salary as Village Clerk of \$ 2,184.00 bi-weekly. Contribution to FRS will be calculated at the rate of 7.26% (RA/QA Regular).

Section 5: Entire Agreement

This Agreement constitutes the entire understanding and agreement of the parties hereto and can only be modified, amended or revoked with the express written consent of all the parties.

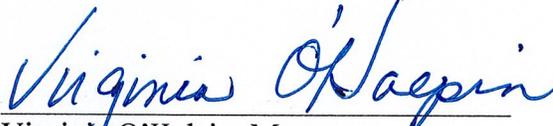
WHEREFORE, the Village and the Employee have caused this Agreement to be signed and executed the day and year first above written.

EMPLOYEE



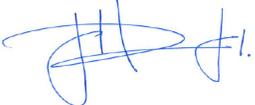
Roseann Prado

VILLAGE OF BISCAYNE PARK, FL



Virginia O'Halpin, Mayor

APPROVED AS TO FORM:



John R. Herin Jr., Interim Village Attorney