



**CITY OF NORTH MIAMI BEACH**  
City Commission Meeting  
Julius Littman Performing Arts Theater  
17011 N.E. 19th Avenue  
North Miami Beach, FL. 33162  
**Tuesday, July 20, 2021**  
**6:00pm**

Mayor Anthony F. DeFillipo  
Vice Mayor Paule Villard  
Commissioner McKenzie Fleurimond  
Commissioner Daniela Jean  
Commissioner Michael Joseph  
Commissioner Barbara Kramer  
Commissioner Fortuna Smukler

City Manager Arthur H. Sorey III  
Interim City Attorney Hans Ottinot  
Ottinot Law, P.A.  
City Clerk Andrise Bernard, CMC

**City Commission Meeting Minutes**

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**ROLL CALL OF THE CITY OFFICIALS**

The Regular Commission Meeting was called to order at 6:07pm.

Present at the meeting in the Littman Performing Arts Theater were Mayor Anthony F. DeFillipo, Commissioner McKenzie Fleurimond, Commissioner Daniela Jean, Commissioner Michael Joseph, Commissioner Barbara Kramer, and Commissioner Fortuna Smukler.

Vice Mayor Paule Villard was present via Zoom.

City Manager Arthur Sorey, Interim City Attorney Hans Ottinot, and City Clerk Andrise Bernard were also present in the theater.

**INVOCATION** by Pastor Ariel Vasquez of 3rd Day Church.

**PLEDGE OF ALLEGIANCE** was led by the Mayor and Commission.

Mayor DeFillipo led a moment of silence to recognize world peace and individuals that have been lost in recent tragedies.

**REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO THE AGENDA**

City Clerk Andrise Bernard announced that Resolution 2021-69, Resolution 2021-70, Resolution 2021-71, and Resolution 2021-72 will be pulled from the Consent Agenda at the request of Commissioner Kramer and Resolution 2021-76 (on the Consent Agenda) and Resolution 2021-78 (on Legislation) will be withdrawn at the request of the City Attorney's Office.

Interim City Attorney Hans Ottinot stated that the presentation/discussion item regarding the Haitian American Nurses Association (HANA) will be withdrawn from the agenda.

Motion to approve the agenda as amended made by Commissioner Kramer, seconded by Commissioner Fleurimond.  
**MOTION PASSED 7-0.**

City Manager Arthur Sorey stated that the presentation/discussion item regarding an update on the Capital Improvement Plan will be deferred to the next Commission Meeting.

Chief of Police Richard Rand and City Manager Arthur Sorey provided an update on Crestview Towers.

Mayor DeFillipo opened the meeting for **PUBLIC COMMENT**.

City Clerk Andrise Bernard read the rules of public comment and the following person(s) made comments on the record:

1. Harold Dauphin
2. Angel Medina
3. Aleisha Guarnizo
4. Mirtha Sanedra
5. Candice Almarales
6. Ramaxel Casas
7. Isis Zambrano

Commissioner Joseph stated that he had to leave the Commission Meeting.

8. Maria Rodriguez
9. Janice Coakley
10. Juan Carvajal
11. Maribel Derulo
12. Gabriel Diaz

Mayor DeFillipo stated that quorum was lost because Vice Mayor Villard and Commissioner Fleurimond left the Commission Meeting and public comment was continued.

13. Nora Feijelson
14. Lucia Bojana
15. Carmen Pinedo
16. Carmen Bethel (via Zoom)
17. Stephanie Kienzle (via Zoom)
18. Ron Book (via Zoom)
19. David Zapen (via Zoom)
20. Margie Love (via Zoom)

The meeting was closed for **PUBLIC COMMENT**.

City Manager Arthur Sorey discussed Crestview Towers and the bridge located at N.E 15<sup>th</sup> Avenue and 171<sup>st</sup> Street and Chief of Police Richard Rand provided information regarding the public being notified about the bridge.

Mayor DeFillipo announced that the Commission meeting was adjourned due to a lack of quorum.

The following items were on the agenda and will be moved to a future meeting.

**CONSENT AGENDA**

**Regular Commission Meeting Minutes of April 20, 2021 (Andrise Bernard, City Clerk)**

**Regular Commission Meeting Minutes of April 22, 2021 (Andrise Bernard, City Clerk)**

**Regular Commission Meeting Minutes of June 15, 2021 (Andrise Bernard, City Clerk)**

**Resolution R2021-67 Disaster Debris Removal and Hauling (Judeen Johnson, Public Works Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH DRC EMERGENCY SERVICES, LLC, AS THE PRIMARY VENDOR, AND CROWDER-GULF JOINT VENTURE, INC., AS THE SECONDARY VENDOR, TO PROVIDE DISASTER DEBRIS REMOVAL AND DISPOSAL SERVICES PURSUANT TO REQUEST FOR PROPOSALS NO. 21-024-MC DISASTER DEBRIS REMOVAL AND HAULING; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-68 Purchase and Installation of Artificial Turf at Patricia A. Mishcon Park (Andrew Plotkin, Park and Recreation Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE PURCHASE AND INSTALLATION OF ARTIFICIAL TURF FOR THE PATRICIA A. MISCHON PARK ATHLETIC FIELDS AT THE ESTIMATED COST OF \$1,920,000; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH FIELDTURF USA, INC. TO PROVIDE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-69 Purchase of Sodium Hydroxide Change Order (Samuel Zamacona, Interim NMB Water Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CHANGE ORDER BETWEEN THE CITY OF NORTH MIAMI BEACH AND ALLIED UNIVERSAL CORPORATION INCREASING THE ORIGINAL AMOUNT OF THE AGREEMENT FROM \$188,666.00 TO \$386,666.00 TO CONTINUE THE PURCHASE OF SODIUM HYDROXIDE FOR WATER TREATMENT SERVICES; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-70 Hach Company Contract Change Order (Samuel Zamacona, Interim NMB Water Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CHANGE ORDER, BETWEEN THE CITY OF NORTH MIAMI BEACH AND HACH COMPANY INCREASING THE ORIGINAL AMOUNT OF THE AGREEMENT BY \$61,000.00 TO A REVISED TOTAL OF \$108,000.00 TO CONTINUE TO PROVIDE THE GOODS/SERVICES AND COMPLIANCE MONITORING NEEDED IN THE WATER DEPARTMENT; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE CHANGE ORDER, AND TO DO ALL THINGS NECESSARY IN FURTHERANCE OF THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-71 Purchase of Industrial Supplies from W.W. Grainger, Inc. (Samuel Zamacona, Interim NMB Water Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH W.W. GRAINGER, INC. FOR FACILITIES MAINTENANCE EQUIPMENT AND SUPPLIES IN AN ESTIMATED BUDGETED AMOUNT OF \$150,000.00 WITH THE ABILITY TO RENEW THE AGREEMENT SUBJECT TO APPROVED BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-72 Welding and Fabrication Services from A to Z Metal Fabrication, Inc. (Samuel Zamacona, Interim NMB Water Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO

EXECUTE AN AGREEMENT WITH A TO Z METAL FABRICATION FOR METAL FABRICATION AND WELDING SERVICES, INC. IN AN ESTIMATED ANNUAL BUDGETED AMOUNT OF \$85,000.00 AND TO RENEW THE AGREEMENT SUBJECT TO APPROVED BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS, AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-73 CNC Management Group Change Order (Samuel Zamacona, Interim NMB Water Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CHANGE ORDER IN THE AMOUNT OF \$34,930.00 SUBMITTED BY CNC MANAGEMENT SERVICE GROUP, INC. RELATING TO THE LANDSCAPING MAINTENANCE SERVICES CONTRACT NORTH MIAM BEACH WATER FACILITIES; PROVIDING THE CITY MANAGER WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-74 Approving and Authorizing an Agreement with Tyler Technologies for Tyler ExecuTime Software and the Biometric Time and Attendance System (Gil Sosa, Senior IT Manager)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH TYLER TECHNOLOGIES FOR TYLER EXECUTIME SOFTWARE AND THE BIOMETRIC TIME AND ATTENDANCE SYSTEM IN AN AMOUNT NOT TO EXCEED \$125,228.00; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-75 Redesignating Victory Pool as the “Kevin R. Sims Aquatic Center at Victory Park” (Commissioner McKenzie Fleurimond)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REDESIGNATING VICTORY POOL AS THE “KEVIN R. SIMS AQUATIC CENTER AT VICTORY PARK”; AUTHORIZING THE CITY MANAGER TO ERECT PROPER SIGNAGE AND TO DO ALL THINGS NECESSARY TO IMPLEMENT THE RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-76 Appointing Christopher Benjamin Esq. as Special Magistrate (Arthur H. Sorey, City Manager)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING, IN ACCORDANCE WITH SECTION 14-8 OF THE CITY’S CODE OF ORDINANCES, THE CITY MANAGER’S RECOMMENDATION TO APPOINT CHRISTOPHER BENJAMIN, ESQ. TO SERVE AS SPECIAL MAGISTRATE TO HEAR CODE VIOLATION MATTERS AND IMPOSE FINES, LIENS AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY’S CODE OF ORDINANCES; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO EFFECUATE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**LEGISLATION**

**Resolution R2021-77 Establishing the Proposed Millage Rate for Fiscal Year 2021 (Marcia Fennell, Finance Director)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE AT 6.2000 MILLS PER \$1,000.00 OF TAXABLE ASSESSED VALUE WHICH IS 4.29% MORE THAN THE "ROLLED-BACK" RATE OF 5.9450 FOR FISCAL YEAR 2021/2022; ESTABLISHING A PROPOSED DEBT SERVICE MILLAGE RATE; AND SETTING THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE CITY CLERK AND CITY

MANAGER TO TRANSMIT THIS RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF SECTION 200.065, FLORIDA STATUTES, AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-78 HANA Lease Agreement (Gedel Merzius, Assistant City Manager)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND HAITIAN AMERICAN NURSES ASSOCIATION OF FLORIDA, INC. (“HANA”) TO LEASE SURPLUS PROPERTY TO PROVIDE SERVICES OF PUBLIC HEALTH, PUBLIC EDUCATION, SOCIAL AND COMMUNITY SERVICES TO RESIDENTS OF THE CITY OF NORTH MIAMI BEACH, ATTACHED HERETO AS EXHIBIT “A IN SUBSTANTIALLY THE SAME FORM; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT; PROVIDING THE CITY MANAGER AND CITY ATTORNEY WITH THE AUTHORITY TO DO ALL THINGS TO EFFECTUATE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-79 Standing in Solidary with the Cuban People (Commissioner Fortuna Smukler)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, EXPRESSING SOLIDARITY WITH THE CUBAN PEOPLE IN THEIR FIGHT FOR FREEDOM AND DEMOCRACY IN CUBA; CONDEMNING THE BRUTAL ATTACKS AGAINST PEACEFUL PROTESTERS IN CUBA; DIRECTING THE CITY CLERK TO SEND THIS RESOLUTION TO THE PRESIDENT OF THE UNITED STATES, FLORIDA U.S. SENATORS, SOUTH FLORIDA CONGRESSIONAL DELEGATION; MAYOR AND COMMISSIONERS OF MIAMI DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Resolution R2021-80 Standing in Solidary with the Haitian People (Commissioner Fortuna Smukler)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CONDEMNING THE ASSASSINATION OF HAITI PRESIDENT JOVENEL MOISE AND THE VICIOUS ATTACKS AGAINST HAITI’S FIRST LADY MARTINE MOISE; EXPRESSING SOLIDARITY WITH THE HAITIAN PEOPLE IN SUPPORT OF DEMOCRACY IN HAITI; DIRECTING THE CITY CLERK TO SEND THIS RESOLUTION TO THE PRESIDENT OF THE UNITED STATES, FLORIDA U.S. SENATORS, SOUTH FLORIDA CONGRESSIONAL DELEGATION, AND MAYOR AND COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Ordinance No. 2021-02 (Second and Final Reading) Relating to Employee Running for Political Office (Vice Mayor Paule Villard)**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER V OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED “HUMAN RESOURCES (PERSONNEL)” BY SPECIFICALLY CREATING A NEW SECTION ENTITLED “EMPLOYEE RUNNING FOR POLITICAL OFFICE”; PROVIDING FOR THE RESIGNATION FROM CITY EMPLOYMENT IF AN EMPLOYEE QUALIFIES TO RUN FOR MAYOR OR CITY COMMISSIONER OF THE CITY OF NORTH MIAMI BEACH; PROVIDING FOR THE RESIGNATION FROM CITY EMPLOYMENT IF AN EMPLOYEE IS ELECTED TO ANY OTHER POLITICAL OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Ordinance No. 2021-03 (First Reading) Chapter III Purchasing Ordinance Amendment Local Business Preference and Local Hiring Requirements (Donna Rockfeld, Chief Procurement Officer)**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION AMENDING THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES, BY AMENDING CHAPTER III ENTITLED “PURCHASING,”

SECTION 3-4 ENTITLED "MISCELLANEOUS PROVISIONS," CREATING A NEW SECTION 3-4.13, ENTITLED "LOCAL BUSINESS PREFERENCE AND LOCAL HIRING REQUIREMENTS IN CITY CONTRACTS," AND AMENDING SECTION 3-3.15 ENTITLED "AWARD OF THE BIDS; LOCAL PREFERENCE" PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Ordinance No. 2021-04 (First Reading) Prohibiting the Docking of Commercial Boats/Watercrafts in Residential Districts (Commissioner Fortuna Smukler)**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH AMENDING CHAPTER XXIV OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, BY AMENDING SECTION 24-84, ENTITLED "BOATS, DOCKS AND PIERS" TO PROHIBIT THE DOCKING, PARKING, STORAGE OF COMMERCIAL BOATS AND WATERCRAFTS IN RESIDENTIAL DISTRICTS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Ordinance No. 2021-05 (First Reading) Living Wage (Commissioner Michael Joseph)**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH AMENDING CHAPTER V OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, BY CREATING A NEW SECTION ENTITLED "LIVING WAGE REQUIREMENTS FOR CITY EMPLOYEES AND SERVICE CONTRACTS"; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Ordinance No. 2021-06 (First Reading) Chapter IX Offenses and Miscellaneous Provisions Creation of Code of Ordinances Section 9-37 entitled "Storm Shutter Regulations" (Kent Walia, Community Development Director)**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH AMENDING CHAPTER IX OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, TO CREATE A NEW SECTION ENTITLED "STORM SHUTTERS REGULATIONS" TO ESTABLISH GUIDELINES FOR THE PLACEMENT AND REMOVAL OF STORM SHUTTERS OR HURRICANE PROTECTION DEVICES SUBSEQUENT TO A HURRICANE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**APPOINTMENTS**

Appointing Commissioner Jean as Vice Mayor effective August 1, 2021  
Appointing Evans St. Fort to the Commission on Aging/Senior Citizens Advisory Board  
Appointing Rachelle Michel to the Commission on the Status of Women  
Appointing A. Silver to the Commission on the Status of Women  
Appointing Belkis Pimentel to the Commission on the Status of Women  
Appointing Marcela Invernizzi as an Ex Officio Member to the Commission on the Status of Women  
Appointing Donard St. Jean to the Economic Development Commission

**DISCUSSION ITEMS**

City Clerk's Contract Renewal  
Multicultural Festival  
Community Policing  
Constituent Aides  
Criminal Background Checks of Board Members and Resignation Upon Arrest or Arrest for Felony  
Procedure on Promoting City Funded Events  
Revival of the Civil Service Board

**ADJOURNMENT**

There being no further business to come before the City Commission, the meeting was adjourned at 8:02pm.

**ATTEST:**

**(SEAL)**

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Andrise Bernard, CMC, City Clerk