



**CITY OF NORTH MIAMI BEACH**  
Public Budget Hearing  
City Hall, Commission Chambers, 2<sup>nd</sup> Floor  
17011 N.E. 19th Avenue  
North Miami Beach, FL. 33162  
**Monday, September 13, 2021**

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

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

**First Public Budget Hearing Minutes**

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**ROLL CALL OF THE CITY OFFICIALS**

The Public Budget Hearing was called to order at 6:02 p.m.

Present at the meeting in the Littman Performing Arts Theater was Mayor Anthony F. DeFillipo, Vice Mayor Daniela Jean, Commissioner McKenzie Fleurimond, Commissioner Michael Joseph, Commissioner Barbara Kramer, Commissioner Fortuna Smukler and Commissioner Paule Villard. City Manager Arthur H. Sorey III, Interim City Attorney Hans Ottinot, and City Clerk Andrise Bernard were also present in the theater.

Mayor Anthony F. DeFillipo led the meeting with a moment of silent meditation for the lives lost on 9/11.

**LEGISLATION**

**Resolution No. R2021-86 Tentative Millage Rate for Fiscal Year 2022 (Marcia Fennell, Finance Director)**

A RESOLUTION OF THE MAYOR AND COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING AND ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF NORTH MIAMI BEACH FOR FISCAL YEAR 2021-2022 IN THE AMOUNT OF 6.2000 MILLS, WHICH IS 4.29% HIGHER THAN THE ROLLED-BACK RATE, TO BALANCE THE GENERAL FUND; ESTABLISHING THE ROLLED BACK RATE TO BE 5.9450 MILLS; ESTABLISHING THE DEBT SERVICE MILLAGE RATE AT 0.5740 MILLS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Interim City Attorney Ottinot read the title of Resolution No. R2021-86 into the record.

**Motion to introduce** Resolution No. R2021-86 made by Commissioner Fleurimond, seconded by Mayor DeFillipo.

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

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

1. Mubarak Kazan

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

City Manager Sorey III provided an explanation on Resolution No. R2021-86 regarding the proposed tentative millage rate for Fiscal Year 2022 and explained the tentative millage rate cannot increase however it can decrease. City Manager Sorey III requested the commission to move forward with the recommended rate the staff proposed.

City Manager Sorey III continued to explain the current millage rate will result in an increase of \$732,000 to the general funds and he does not recommend the millage to be lowered at this time due to the uncertainty of the COVID 19 pandemic. If it is the recommendation of the board, he will further review lowering the millage rate.

The Mayor and Commission discussed Resolution R2021-86 regarding the proposed final millage and made recommendations to staff for the second budget hearing.

**Motion to approve** Resolution R2021-86 made by Commissioner Fleurimond, seconded by Commissioner Joseph.

**Voice Vote: MOTION PASSED 5-1** with Mayor DeFillipo opposed and Commissioner Kramer off the dais.

Interim City Attorney Hans Ottinot read the title of Resolution No. R2021-87 into the record.

**Motion to introduce** Resolution R2021-87 made by Commissioner Joseph, seconded by Commissioner Villard.

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

City Clerk Bernard began to read the rules of public comment into the record.

Commissioner Fleurimond requested a moment of personal privilege for clarity regarding Commissioner Kramer's vote not counted for Resolution No. R2021-86. Commissioner Kramer was present during the meeting however was away from the dais on an emergency phone call and could not cast her vote for Resolution No. R2021-86.

Interim City Attorney Ottinot gave legal advisement regarding voting procedures. Interim City Attorney Ottinot stated any member of the commission who is physically present during voting is required to vote by state law.

Commissioner Fleurimond requested Commissioner Kramer to vote on Resolution No. R2021-86.

Interim City Attorney Ottinot gave legal advisement regarding voting procedures. Interim City Attorney Ottinot explained if any member of the commission leaves the dais according to the rule, the member must declare the reason for leaving the dais.

Commissioner Kramer returned to the dais.

City Manager Sorey III requested to allow Commissioner Kramer an opportunity to voice her vote for Resolution No. R2021-86 for the record.

City Attorney Ottinot continued to give legal advisement regarding voting procedures. City Attorney Ottinot explained if any member of the commission is not present during the vote and has not declared a reason at the time of the vote, they are declared absent according to the rules.

**Motion to reconsider** Resolution R2021-86 made by Commissioner Fleurimond, seconded by Commissioner Joseph.

**Voice Vote: MOTION PASSED 7-0.**

City Attorney Hans Ottinot read the title of Resolution No. R2021-86 into the record.

Mayor DeFillipo requested a roll call vote for Resolution No. R2021-86.

**Roll Call Vote:** Fleurimond - **Yes**, Joseph – **Yes**, Kramer – **No**, Smukler – **Yes**, Villard – **Yes**, Jean – **No**, DeFillipo – **No**.

**MOTION PASSED 4-3** with Mayor DeFillipo, Vice Mayor Jean, and Commissioner Kramer opposed.

**Resolution No. R2021-87 Adopting the Tentative Fiscal Year 2022 Budget (Marcia Fennell, Finance Director)**

A RESOLUTION OF THE COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ADOPTING THE TENTATIVE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; AUTHORIZING THE EXPENDITURE OF FUNDS APPROPRIATED IN THE BUDGET; ACKNOWLEDGING THE LEVY AND COLLECTION OF TAXES ON REAL AND PERSONAL PROPERTY AND OTHER REVENUES NECESSARY TO MEET THE EXPENDITURES PROVIDED IN THE BUDGET; PROVIDING FOR TRANSMITTAL BY THE CITY CLERK; CONFIRMING ADDITIONAL POWERS AND CONDITIONS; AUTHORIZING ENCUMBRANCES AND CARRY FORWARD; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim City Attorney Hans Ottinot read the title of Resolution No. R2021-87 into the record.

**Motion to introduce** Resolution R2021-87 made by Commissioner Joseph, seconded by Commissioner Villard.

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

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

1. Mubarak Kazan
2. Stephanie Kienzle

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

City Manager Sorey III introduced Finance Director Marcia Fennell to the Mayor and Commission. He then requested Finance Director Fennell to present the tentative Fiscal Year 2022 budget.

Finance Director Fennell presented the tentative Fiscal Year 2022 budget. Thereafter, City Manager Sorey III further explained and highlighted some updates to the tentative Fiscal Year 2022 budget. City Manager Sorey III added there will be a future meeting regarding the new sanitation contract with a lower rate.

The Mayor and Commission discussed Resolution R2021-87 regarding adopting the Fiscal Year 2022 budget and made recommendations to staff for the second budget hearing.

Mayor DeFillipo directed the City Manager to allocate money for the infrastructure of the pipelines. City Manager Sorey III stated he will have it address by the second budget hearing.

**Motion** to **approve** Resolution R2021-87 made by Commissioner Kramer, seconded by Commissioner Joseph.

**Voice Vote: MOTION PASSED 5-2** with Mayor DeFillipo and Commissioner Kramer opposed.

#### **1. ADJOURNMENT**

There being no further business to come before the City Commission, the meeting was adjourned at 8:39 p.m.

**ATTEST:**

**(SEAL)**

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Andrise Bernard, CMC, City Clerk