CITY OF NORTH MIAMI BEACH
City Hall, Commission Chambers, 2nd Floor
17011 N.E. 19th Avenue
North Miami Beach, FL. 33162
Monday, September 8, 2025

Mayor Michael Joseph
Vice Mayor Daniela Jean
Commissioner Jay Chernoff
Commissioner McKenzie Fleurimond
Commissioner Phyllis S. Smith
Commissioner Fortuna Smukler
Commissioner Lynn Su

Interim City Manager Andrew Plotkin

City Attorney Greenspoon Marder

City Clerk Andrise Bernard, MMC

City Commission Meeting Minutes

ROLL CALL OF THE CITY OFFICIALS

The Regular Commission Meeting was called to order at 6:11pm.

Present at the meeting were Mayor Michael Joseph, Vice Mayor Daniela Jean (arrived after roll call), Commissioner Jay Chernoff, Commissioner McKenzie Fleurimond, Commissioner Phyllis Smith, and Commissioner Fortuna Smukler. Commissioner Lynn Su was absent.

INVOCATION by Pastor Peytyn Tobin of Fulford United Methodist Church.

A moment of silence was held in remembrance of Melvin Victor and Antonio Ortega.

PLEDGE OF ALLEGIANCE was led by the Mayor and Commission.

Commissioner Smith revealed and discussed personal health issues.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO THE AGENDA

City Clerk Andrise Bernard announced the following:

Per the request of the City Manager, Resolution R2025-135 will be deferred.

Per the request of Commissioner Smith, Resolution R2025-127, Resolution R2025-130, Resolution R2025-132, and Resolution R2025-133 will be pulled from the Consent Agenda and heard before Quasi-Judicial.

City Attorney Joseph Geller announced amendments to Resolution R2025-115 and the addition of a resolution regarding NMB Water charges.

Per the request of Commissioner Smukler, Resolution R2025-141 will be deferred.

Motion to **approve** the Commission Meeting agenda as amended made by Commissioner Chernoff, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

PRESENTATIONS/DISCUSSIONS

Linda Hess of WGI presented the Vision Zero Safety Action Plan and provided guiding principles, crash and safety analysis, community engagement, recommended programs and projects, and an implementation timeline.

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

City Clerk Andrise Bernard read the rules of public comment and the pledge of civility.

The following person(s) made comments on the record:

1. Tammy Fox-Isicoff
2. Stacy Roskin
3. Fabian Basabe
4. Karen Harrold
5. Tricia Harris
6. Barbara Kramer
7. Leslie Sardinia
8. Bruce Lamberto
9. Mubarak Kazan

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

ANNOUNCEMENTS

Jasmine Joseph of the Communications Department presented a video that announced the upcoming Economic Development quarterly business luncheon, on-site DMV visit, NMB shuttle service community outreach meeting, salsa on the plaza, Farm Share food distribution event, Hispanic Heritage Month event at the NMB library, senior luncheon, community Zumba exercise class, Domestic Violence Awareness run and walk event, centennial commencement reception, UMC mobile health clinic, and public budget hearings.

CITY COMMISSION REPORTS

Commissioner Chernoff discussed unsightly poles throughout the city, expressed thoughts to Commissioner Smith, congratulated the North Miami Beach Police Department regarding several recent arrests, expressed condolences to the families of two employees, congratulated City Clerk

Andrise Bernard for hosting the recent Miami-Dade County Municipal Clerks Association event, and recognized the upcoming Jewish new year.

Commissioner Fleurimond congratulated the North Miami Beach Police Department regarding several recent arrests, expressed condolences to the families of two employees, recognized the upcoming Jewish new year, and discussed fixing issues in different areas of the city.

Commissioner Smith discussed the need to improve the quality of the neighborhoods throughout the city, talked about the upcoming fiscal year budget, and recognized the upcoming Jewish new year.

Commissioner Smukler expressed condolences to the families and friends of two employees, congratulated the North Miami Beach Police Department regarding several recent arrests, discussed the recent passing of a Holocaust survivor, recognized the upcoming Jewish new year, and expressed the importance of going to the doctor.

Vice Mayor Jean expressed thoughts to Commissioner Smith, discussed the importance of physical and mental health, talked about receiving a report regarding the progress of work in the Eastern Shores community, and discussed the FPL substation and fixing other areas around the city.

Mayor Joseph expressed thoughts to Commissioner Smith and recognized the upcoming Jewish new year.

CONSENT AGENDA

Commission Conference Minutes of July 15, 2025

Regular Commission Meeting Minutes of July 15, 2025

Special Commission Meeting Minutes of July 24, 2025

Special Commission Meeting Minutes of July 29, 2025

Budget Workshop Minutes of August 6, 2025

Budget Workshop Minutes of August 19, 2025

Budget Workshop Minutes of August 26, 2025

Resolution R2025-115 Establishing the NMB Water Relief Act (Mayor Michael Joseph, Commissioner Phyllis Smith, and Commissioner Fortuna Smukler)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CREATION AND IMPLEMENTATION OF THE NMB WATER RELIEF ACT TO PROVIDE DISCOUNTS ON WATER BILLS FOR NORTH MIAMI BEACH WATER RECIPIENTS QUALIFYING FOR CERTAIN REAL PROPERTY TAX EXEMPTIONS FROM THE STATE OF FLORIDA; AND TO PROVIDE DISCOUNTS ON WATER BILLS FOR ALL CUSTOMERS THAT ENROLL IN AUTOMATIC WATER BILL

PAYMENTS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-116 Recommendation to Award for Towing Services (Juan Pinillos, Chief of Police)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE RANKING OF THE THREE MOST QUALIFIED FIRMS THAT RESPONDED TO REQUEST FOR PROPOSALS RFP-2025-026-KC TOWING SERVICES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE SELECTED FIRMS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-117 Approving a Task Order for Staff Augmentation and Engineering Consulting Services with The Engineering Company, LLC. (Kerlyne McHenry, Interim Public Works Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A TASK ORDER BETWEEN THE CITY THE ENGINEERING COMPANY, LLC FOR STAFF AUGMENTATION AND ENGINEERING CONSULTING SERVICES; IN A BUDGETED AMOUNT NOT TO EXCEED $125,000; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; AND SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-118 Approving a Purchase Order for a Multi-Chemistry Analyzer with Seal Analytical, Inc. (Hamid Nikvan, NMB Water Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PURCHASE ORDER WITH SEAL ANALYTICAL, INC. FOR THE SOLE SOURCE PURCHASE OF AQ-400 AUTOMATED MULTI-CHEMISTRY ANALYZER IN AN AMOUNT NOT TO EXCEED $53,320.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-119 Approving the Purchase of a Bermad Control Valve with PSI Technologies for NMB Water (Hamid Nikvan, NMB Water Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PURCHASE ORDER WITH PSI TECHNOLOGIES, INC. FOR THE SOLE SOURCE PURCHASE OF A BERMAD CONTROL VALVE IN AN AMOUNT NOT TO EXCEED $67,700.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-120 Approving a Contract for Citywide Security Guard Services with Universal Protection Service (Juan Pinillos, Chief of Police)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CONTRACT BETWEEN THE CITY AND UNIVERSAL PROTECTION SERVICE, LLC d/b/a ALLIED UNIVERSAL SECURITY SERVICES FOR CITYWIDE SECURITY GUARD SERVICES; FOR AN ANNUAL BUDGETED AMOUNT NOT TO EXCEED $295,400.00 YEAR ONE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-121 Authorizing and Approving the Award of Invitation to Bid No. ITB-2025-035 for School Crossing Guard Services (Juan Pinillos, Chief of Police)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE AWARD OF INVITATION TO BID NO. ITB-2025-035 SCHOOL CROSSING GUARD SERVICES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-122 Ratify Purchase Order with Smith Equipment and Supply Company for the Purchase of Scarab Maven Street Sweeper Truck (Kerlyne McHenry, Interim Public Works Director)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PIGGYBACK CONTRACT BETWEEN THE CITY AND SMITH EQUIPMENT AND SUPPLY COMPANY FOR THE PURCHASE OF SCARAB MAVEN STREET SWEEPER TRUCK; IN AN ESTIMATED AMOUNT NOT TO EXCEED $399,600.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolutio R2025-123 Approving a Purchase Order for the Purchase and Buyback of Firearms with Lawmen's & Shooters' Supply, Inc. (Juan Pinillos, Chief of Police)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A PURCHASE ORDER BETWEEN THE CITY AND LAWMEN’S & SHOOTERS’ SUPPLY, INC. FOR PURCHASE AND BUYBACK OF FIREARMS; IN A BUDGETED AMOUNT NOT TO EXCEED $85,000.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-124 Approving and Authorizing the One-Year Renewal of the Turf and Landscape Maintenance Agreement with the Florida Department of Transportation (FDOT) (Kerlyne McHenry, Interim Public Works 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 THE ONE-YEAR RENEWAL TERM OF THE TURF AND LANDSCAPE MAINTENANCE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); PROVIDING THE TERMS AND CONDITIONS FOR LANDSCAPE MAINTENANCE AND REIMBURSEMENT OF SUCH MAINTENANCE SERVICES FROM THE FDOT TO THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-125 Approving Additional Contractor Obligations with Coastal Waste and Recycling of Florida, Inc. (Marline Monestime, Interim Assistant City Manager)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING "ADDITIONAL CONTRACTOR OBLIGATIONS" OF THE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND COASTAL WASTE AND RECYCLING OF FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-126 Approving the Safety Action Plan (Kerlyne McHenry, Interim Public Works Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ADOPTING THE SAFE ACTION PLAN FOR TRANSPORTATION SYSTEM SAFETY; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-128 Approving the City Manager to Apply for the Florida Department of Transportation (FDOT) Beautification Grant (Kerlyne McHenry, Interim Public Works Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT ASSISTANCE UNDER THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY BEAUTIFICATION GRANT AND TO FURTHER EXECUTE ANY SUBSEQUENT AGREEMENTS OR DOCUMENTS ASSOCIATED WITH THE GRANT AND REIMBURSEMENT OF PROJECT FROM THE FDOT TO THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-129 Approving the Award of the Edward Byrne Memorial Justice Assistance Grant (JAG) for Police Department Crime Scene Equipment (Juan Pinillos, Chief of Police)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING A FY23 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT OFFICE OF CRIMINAL JUSTICE GRANTS FOR THE NORTH MIAMI BEACH POLICE

DEPARTMENT FOR CRIME SCENE EQUIPMENT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-131 Authorizing the City Manager to Apply for Grant Assistance Under the Division 1 Library State Grant (Edenia Hernandez, Library Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT ASSISTANCE UNDER THE DIVISION OF LIBRARY AND INFORMATION SERVICES OF THE FLORIDA DEPARTMENT OF STATE PUBLIC LIBRARY CONSTRUCTION GRANT TO CONSTRUCT, EXPAND, OR REMODEL; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-134 Resolution to Approve Agreement for Debt Recovery Services with Keystone Law Firm, P.A. (Vice Mayor Daniela Jean)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING AN AGREEMENT WITH KEYSTONE LAW FIRM, P.A. FOR DEBT RECOVERY SERVICES, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-136 Approving a Purchase Order for the Purchase and Installations of Workstations with Affordable Interior Systems (Kerlyne McHenry, Interim Public Works Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A PURCHASE ORDER BETWEEN THE CITY AND AFFORDABLE INTERIOR SYSTEMS, INC. FOR THE PURCHASE AND INSTALLATION OF WORKSTATIONS IN A BUDGETED AMOUNT NOT TO EXCEED $218,431.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-137 Approving a Purchase Order for the Purchase and Installation of Laboratory Furnishings with Southwest Solutions Group, Inc. (Hamid Nikvan, NMB Water Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A PURCHASE ORDER BETWEEN THE CITY AND SOUTHWEST SOLUTIONS GROUP, INC. FOR THE PURCHASE AND INSTALLATION OF LABORATORY FURNISHINGS IN A BUDGETED AMOUNT NOT TO EXCEED $160,000.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

<u>Resolution R2025-144 (Mayor Michael Joseph)</u>
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUIRING THAT AT LEAST THIRTY (30) DAYS PRIOR TO BEING PLACED ON A MEETING OR WORKSHOP AGENDA, ANY PROPOSED AGENDA ITEMS OR TOPICS FOR DISCUSSION PERTAINING TO OR HAVING ANY IMPACT ON NMB WATER BE REVIEWED BY THE TASK FORCE ON WATER CHARGES AND THE CITY ATTORNEY'S OFFICE; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to **approve** the Consent Agenda made by Commissioner Chernoff, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 5-1** with Vice Mayor Jean opposed and Commissioner Su absent.

<u>LEGISLATION</u>

<u>Resolution R2025-127 Approving a Five-Year Lease to Own Agreement for the Citywide Backup Systems with DDI Capital (Ricardo Castillo, Chief Information Officer)</u>
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, TO AUTHORIZE A FIVE YEAR MASTER LEASE AGREEMENT BETWEEN THE CITY AND DDI CAPITAL FOR THE PURCHASE OF A DATA STORAGE SYSTEM IN AN AMOUNT NOT TO EXCEED $500,000.00; APPROVING AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-127 was pulled from the Consent Agenda and moved to Legislation.

Motion to **amend** Resolution R2025-127 to include the language 'for a five year period' in Section 2 made by Commissioner Smith, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 5-0** with Mayor Joseph off the dais and Commissioner Su absent.

Motion to **approve** Resolution R2025-127 as amended made by Commissioner Smith, seconded by Commissioner Chernoff.
Voice Vote: **MOTION PASSED 5-0** with Mayor Joseph off the dais and Commissioner Su absent.

<u>Resolution R2025-130 Approving the Information Technology (IT) Governance Policy (Ricardo Castillo, Chief Information Officer)</u>
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ADOPTING A FORMAL INFORMATION TECHNOLOGY (IT) GOVERNANCE POLICY TO ESTABLISH CITYWIDE STANDARDS FOR THE ACQUISITION, DEPLOYMENT, MANAGEMENT, AND OVERSIGHT OF ALL CITY TECHNOLOGY RESOURCES AND SERVICES; PROMOTING STRATEGIC ALIGNMENT, CYBERSECURITY, PERFORMANCE MONITORING, AND COST-EFFICIENCY; AUTHORIZING THE CITY MANAGER OR DESIGNEE IMPLEMENT AND ENFORCE THE POLICY; TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION;

PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-130 was pulled from the Consent Agenda and moved to Legislation.

Motion to **amend** Resolution R2025-130 to include the language 'to include an annual report to the City Commission' in Section 3 made by Commissioner Smith, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 5-0** with Mayor Joseph off the dais and Commissioner Su absent.

Motion to **approve** Resolution R2025-130 as amended made by Commissioner Smith, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 5-0** with Mayor Joseph off the dais and Commissioner Su absent.

Resolution R2025-132 Approving the North Miami Beach Community Redevelopment Agency Fiscal Year 2025-2026 Budget (Adam Old, Community Redevelopment Agency Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY FISCAL YEAR 2025-2026 BUDGET; AUTHORIZING THE CITY CLERK OR DESIGNEE TO TRANSMIT THE BUDGET TO MIAMI-DADE COUNTY; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL ACTION NECESSARY TO COMPLETE THE APPROVAL PROCESS FOR THE NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY FISCAL YEAR 2025-2026 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-132 was pulled from the Consent Agenda and moved to Legislation.

Motion to **approve** Resolution R2025-132 made by Commissioner Chernoff, seconded by Commissioner Fleurimond.
Vote Voice: **MOTION PASSED 5-1** with Commissioner Smith opposed and Commissioner Su absent.

Resolution R2025-133 Centennial Park (Vice Mayor Daniela Jean)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE ESTABLISHMENT OF A CENTENNIAL PARK TO COMMEMORATE THE CITY'S 100th YEAR ANNIVERSARY; PROVIDING FOR THE LOCATION, REZONING, LAND USE, DEVELOPMENT, AND AMENITIES OF THE PARK; DIRECTING THE CITY MANAGER TO IMPLEMENT ALL NECESSARY ACTIONS FOR DESIGN, FUNDING, AND CONSTRUCTION NOT TO EXCEED $500,000.00; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2025-133 was pulled from the Consent Agenda and moved to Legislation.

Commissioner Smith suggested to locate the park in the Washington Park community.

Motion to **amend** Resolution R2025-133 to include the language 'Centennial Park and City Gateway' made by Commissioner Fleurimond, seconded by Commissioner Chernoff.

Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

Motion to **approve** Resolution R2025-133 as amended and accept all available funding from the Community Redevelopment Agency (CRA) and designate the resolution to be sponsored by the Mayor and Commission made by Commissioner Smukler, seconded by Commissioner Smith.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

City Clerk Andrise Bernard read a statement from Commissioner Su regarding the position of City Manager.

QUASI-JUDICIAL

Resolution R2025-138 Consideration for a Conditional Use Application for Mint Dispensary Located at 16719 N.E. 6th Avenue (Zafar Ahmed, Community Development Director)
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION WITH CONDITIONS FOR THE BUSINESS USE OPERATION OF A MEDICAL MARIJUANA DISPENSARY AND TREATMENT CENTER LOCATED AT 16719 N.E. 6th AVENUE; PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Andrise Bernard announced that the subject matter of any ex-parte communication together with the identity of the person, group, or entity making the communication shall be disclosed and made part of the record on file prior to final action on the matter and stated that she received a Jennings Disclosure form from Vice Mayor Jean, Commissioner Chernoff, and Commissioner Smith.

Commissioner Fleurimond, Commissioner Smukler, and Mayor Joseph disclosed the names of the individuals (if any) that they communicated with regarding the item and confirmed that they can make a decision based on the information presented at the meeting.

City Clerk Andrise Bernard asked anyone who will be providing testimony regarding the item to raise their right hand and be sworn in.

Director of Community Development Zafar Ahmed introduced the item and Cristin Peacock represented the applicant and discussed the proposed site plan with zoning and aerial location maps, elevations, floor plans, and exterior and interior renderings. Rudy Molina represented the business and Daniel Lozandier of Planning and Zoning provided additional information.

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

The following person(s) made comments on the record:

1. Mubarak Kazan
2. Dianne Doolity

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

Motion to **approve** Resolution R2025-138 made by Commissioner Chernoff, seconded by Commissioner Smith.

<u>Roll Call Vote</u>:
Chernoff - **Yes**
Fleurimond - **Yes**
Smith - **Yes**
Smukler - **Yes**
Jean - **No**
Joseph - **Yes**

MOTION PASSED 5-1 with Vice Mayor Jean opposed and Commissioner Su absent.

<u>LEGISLATION</u>

<u>Ordinance No. 2025-06 (Second Reading) Amending Water and Sewer Impact Fees (Hamid Nikvan, NMB Water Director)</u>

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, AMENDING CHAPTER XIX, ENTITLED "WATER AND SEWERS" OF THE CITY CODE OF ORDINANCES, SPECIFICALLY AMENDING SECTION 19-11.2 ENTITLED "INSTALLING, REPAIRING, READING, TESTING, FEE WHERE SEAL BROKEN", SECTION 19-12.2 ENTITLED "DELINQUENT ACCOUNTS; SHUTTING OFF WATER", SECTION 19-15.8 ENTITLED "ANNUAL INSPECTION, TEST, CHARGES", SECTION 19-16 ENTITLED "TURN-ON AND SHUT-OFF; CURB COCK TO BE USED BY CITY", SECTION 19-22 ENTITLED "ADDITIONAL CHARGE FOR EXPANSION AND UPGRADING OF CITY'S WATER FACILITIES", SECTION 19-23 ENTITLED "FIRE FLOW DEMAND CHARGE ON NEW BUILDINGS AND CONVERSIONS", AND SECTION 19-31 ENTITLED "RATES AND CHARGES" TO REVISE THE SECTION TITLE AND TO UPDATE THE MISCELLANEOUS FEES AND THE CONNECTION CHARGES FROM NEW DEVELOPMENTS DUE TO UPDATES IN NMB WATER'S CAPITAL IMPROVEMENT PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Director of NMB Water Hamid Nikvan provided an explanation of the proposed ordinance.

Commissioner Smith discussed several different amounts listed in the ordinance and City Attorney Joseph Geller confirmed that the numbers in the chart are correct and the numbers in the text will be updated to reflect the numbers on the chart.

Motion to **amend** Ordinance No. 2025-06 to direct City staff to make the necessary changes regarding the numbers made by Commissioner Smith, seconded by Mator Joseph.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

Motion to **approve** Ordinance No. 2025-06 as amended made by Commissioner Chernoff, seconded by Commissioner Smukler.

<u>Roll Call Vote</u>:
Fleurimond - **Yes**
Smith - **Yes**
Smukler - **Yes**
Chernoff - **Yes**
Jean - **Yes**
Joseph - **Yes**

MOTION PASSED 6-0 with Commissioner Su absent.

<u>Ordinance No. 2025-07 (Second Reading) Unsolicited Proposals Process (Shereece George Depusoir, Chief Procurement Officer)</u>
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING A PROCEDURE FOR RECEIVING, ACCEPTING, AND EVALUATING UNSOLICITED PROPOSALS FOR QUALIFYING PROJECTS PURSUANT TO FLORIDA STATUTES § 255.065; PROVIDING DEFINITIONS; ESTABLISHING REQUIREMENTS FOR REVIEW, PUBLIC INTEREST DETERMINATION, COMPETITIVE SOLICITATION, PROFESSIONAL REVIEW, AGREEMENT EXECUTION, AND CONFIDENTIALITY; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Chief Procurement Officer Shereece Depusoir provided an explanation of the proposed ordinance.

Motion to **approve** Ordinance No. 2025-07 made by Commissioner Chernoff, seconded by Vice Mayor Jean.

<u>Roll Call Vote</u>:
Smith - **Yes**
Smukler - **Yes**
Chernoff - **Yes**
Fleurimond - **Yes**
Jean - **Yes**
Joseph - **Yes**

MOTION PASSED 6-0 with Commissioner Su absent.

<u>Ordinance No. 2025-08 (First Reading) Smoke Shop Regulations (Vice Mayor Daniela Jean)</u>
A ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER XXIV ENTITLED “ZONING AND LAND DEVELOPMENT” SECTION 24-22, “DEFINITION” TO MODIFY THE EXISTING DEFINITION TERM “RETAIL USES (GENERAL RETAIL)” AND TO CREATE A NEW DEFINITION TERM “RETAIL SMOKE SHOP” AND CREATE A NEW DEFINITION TERM “DISTANCE SEPARATION MEASUREMENT”; AMENDING ARTICLE V “ZONING USE DISTRICTS” TO ADD “RETAIL SMOKE SHOP” AS A CONDITIONAL USE TO THE PERMITTED AND CONDITIONAL USES LISTED IN THE B-3 INTENSIVE BUSINESS DISTRICT, B-4 DISTRIBUTION BUSINESS DISTRICT, B-5 DISTRIBUTION

BUSINESS AND MEDIUM INDUSTRIAL DISTRICT, FULFORD MIXED-USE TOWN CENTER DISTRICT (MU/TC), MIXED-USE EMPLOYMENT CENTER DISTRICT (MU/EC), AND INTERNATIONAL BOULEVARD DISTRICT (MU/IB); PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER'S ERRORS, SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Jean expressed support regarding the proposed ordinance and Director of Community Development Zafar Ahmed provided an explanation of the item.

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

The following person(s) made comments on the record:

1. Mubarak Kazan

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

Motion to **approve** Ordinance No. 2025-08 made by Commissioner Chernoff, seconded by Vice Mayor Jean.

<u>Roll Call Vote</u>:
Smukler - **Yes**
Chernoff - **Yes**
Fleurimond - **Yes**
Smith - **Yes**
Jean - **Yes**
Joseph - **Yes**

MOTION PASSED 6-0 with Commissioner Su absent.

<u>Resolution R2025-139 Approving a Purchase Order for the Purchase of One Vacuum Truck with Rechtien International Trucks Inc. (Hamid Nikvan, NMB Water Director)</u>
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PIGGYBACK CONTRACT WITH RECHTIEN INTERNATIONAL TRUCKS, INC. FOR THE PURCHASE OF ONE VACUUM TRUCK; IN AN AMOUNT NOT TO EXCEED $533,368.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Director of NMB Water Hamid Nikvan provided an explanation of the proposed resolution.

Motion to **approve** Resolution R2025-139 made by Commissioner Chernoff, seconded by Vice Mayor Jean.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

<u>Resolution R2025-140 Information Technologies (IT) Master Purchase (Ricardo Castillo, Chief Information Officer)</u>

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE UTILIZATION OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES, NATIONAL COOPERATIVE PURCHASING ALLIANCE, GSA CONTRACTS, AND OTHER NATIONAL COOPERATIVES FOR THE PURCHASE OF THE CITY'S INFORMATION TECHNOLOGY HARDWARE AND SOFTWARE SERVICE AND MAINTENANCE OPERATIONAL NEEDS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS TO EFFECTUATE THE PURCHASES WITH THE AWARDED VENDORS & AUTHORIZED DISTRIBUTORS IN THE TOTAL BUDGETED AMOUNT NOT TO EXCEED THE AMOUNTS HEREIN FOR FISCAL YEAR 2025-2026; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chief Information Officer Ricardo Castillo provided an explanation of the proposed resolution.

Motion to **approve** Resolution R2025-140 made by Vice Mayor Jean, seconded by Commissioner Smukler.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

<u>APPOINTMENTS</u>

Motion to **approve** the following appointments made by Commissioner Chernoff, seconded by Commissioner Smith.
Voice Vote: **MOTION PASSED 6-0** with Commissioner Su absent.

Reappointing Fabio Nick to the Eastern Shores Security Guard Special Taxing District Board
Reappointing Eric Isicoff to the Eastern Shores Security Guard Special Taxing District Board
Reappointing Marc Einbinder to the Eastern Shores Security Guard Special Taxing District Board
Reappointing Lior Sharabani as an alternate to the Eastern Shores First Addition Security Guard Special Taxing District
Reappointing Daniel Bakalarz to the Eastern Shores First Addition Security Guard Special Taxing District
Reappointing Stanley Brown to the Eastern Shores First Addition Security Guard Special Taxing District
Reappointing David Templer to the Eastern Shores First Addition Security Guard Special Taxing District
Reappointing Bruce Lamberto to the Public Utilities Commission
Appointing Ariel Vasquez to the Public Utilities Commission
Appointing Carmen Bethel to the Beautification Committee
Appointing Juana Perez to the Beautification Committee
Appointing Johnathan Cyprien to the Economic Development Commission

DISCUSSION ITEMS

Commissioner Smukler discussed asphalt work and flooding in the Eastern Shores community and City Attorney Geller recommended to talk to each member of the Commission off the dais individually regarding the issue.

Motion to **approve** to direct City staff to have a department look into and attempt to remedy the current flooding taking place in Eastern Shores in the quickest and most efficient way made by Commissioner Smukler, seconded by Commissioner Chernoff.
Voice Vote: **MOTION PASSED 5-0** with Vice Mayor Jean off the dais and Commissioner Su absent.

Commissioner Smukler discussed the possibility of using the Florida Retirement System (FRS) for recruiting and retaining City employees.

Interim Director of Public Works Kerlyne McHenry provided a presentation and a staff recommendation regarding the city-wide bus shelter design project.
Motion to **approve** City staff to determine the six locations to install the completed shelters made by Commissioner Smukler, seconded by Commissioner Smith.
Voice Vote: **MOTION PASSED 5-0** with Vice Mayor Jean off the dais and Commissioner Su absent.

The Mayor and Commission with the guidance of City Attorney Joseph Geller discussed the process of hiring a City Manager including background checks and considered dates to have special meetings to submit the names of candidates and to select an individual for the position.

CITY ATTORNEY'S REPORT

City Attorney Joseph Gellar discussed a recent Miami-Dade County Commission Meeting regarding the water surcharge.

ADJOURNMENT

The meeting was adjourned at 10:45pm.

ATTEST:

(SEAL)

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Andrise Bernard, MMC, City Clerk