



CITY OF NORTH MIAMI BEACH
City Hall, Commission Chambers, 2nd Floor
17011 N.E. 19th Avenue
North Miami Beach, FL. 33162
Thursday, August 27, 2026

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

City Manager Darvin Williams
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 6:10pm.

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

INVOCATION by Pastor Peytyn Tobin of Fulford Methodist Church.

PLEDGE OF ALLEGIANCE was led by the Mayor and Commission.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO THE AGENDA

Commissioner Smith requested to pull Resolution R2026-110 and Resolution R2026-112 from the Consent Agenda.

Per the request of the City Manager's Office, Ordinance No. 2026-13 was deferred to the next Commission Meeting.

Commissioner Smukler requested Resolution R2026-119 to be deferred to the next Commission Meeting.

Commissioner Chernoff requested to add the appointment of Alter Gambarte to the Beautification Committee.

Vice Mayor Fleurimond requested to pull Resolution R2026-90, Resolution R2026-97, and Resolution R2026-109 from the Consent Agenda.

Commissioner Su requested to pull Resolution R2026-114 and Resolution R2026-115 from the Consent Agenda.

Motion to approve the agenda as amended made by Commissioner Smukler, seconded by Commissioner Chernoff.

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

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. Whitney Padote
2. Karen Harrold
3. Trish Miller
4. Ruth Ogen
5. Dayanara Torres
6. Linda Joseph
7. Mara Hauck
8. Terrance Camenzuli
9. Josh Gemmi
10. Star Breedlove
11. Fabian Basabe
12. Ariel Vasquez
13. Mubarak Kazan

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

ANNOUNCEMENTS

A video was presented that featured an upcoming senior luncheon, Eastern Shores neighborhood block party, safety first town hall, budget hearing, and NMB bark fest event.

CITY COMMISSION REPORTS

Commissioner Chernoff discussed the recent police swearing-in ceremony, praised the centennial classical concert, talked about the splash pad in Highland Village and the upcoming dog event, and recognized the Jewish new year.

Commissioner Jean yielded her time.

Commissioner Smith praised the centennial classical concert, discussed the recent police swearing-in ceremony, splash pad in Highland Village, and upcoming city election, encouraged participating in the budget process, and wished a good school year.

Commissioner Smukler praised the centennial classical concert, discussed the splash pad in Highland Village, recovering funds regarding an ethics complaint, and city ordinance regarding scooters, recognized Labor Day, the upcoming anniversary of September 11, and the Jewish new year, and expressed condolences to Ketley Joachim and her family.

Commissioner Su discussed the end of summer and new school year events, talked about receiving the trailblazer award from the Asian Pacific American Bar Association of South Florida and the budget process and recent workshops, congratulated Commissioner Smukler for receiving a Mensch Award and Commissioner Jean for the centennial classical concert, discussed the Condo Connect event, splash pad in Highland Village, free tax filing service for residents, NMB Bites, and Eastern Shores neighborhood block party.

Vice Mayor Fleurimond thanked everyone for attending the meeting, expressed condolences to Ketley Joachim and her family, recognized the upcoming Jewish new year, praised Commissioner Jean regarding the centennial classical concert, and talked about the Skylake neighborhood block party.

Mayor Joseph expressed condolences to Ketley Joachim and her family, praised Commissioner Jean regarding the centennial classical concert, and recognized the upcoming Jewish new year.

CITY MANAGER'S REPORT

City Manager Darvin Williams introduced Averil Smith (Chief Financial Officer), Anne Myers (Library Director), and Guilherme De Andrade Cardoso (IT Director).

City Manager Darvin Williams discussed the ongoing budget process and recognized the IT Department, Public Utilities Department, and Police Department and talked about the progress of the Community Development Department and Finance Department.

City Manager Darvin Williams discussed the implementation of standard operating procedures for every department in the city, House Bill 1451, and proposed property tax exemptions.

CITY ATTORNEY'S REPORT

City Attorney Joseph Geller discussed the Aura development project and city ordinance regarding shopping carts.

Commissioner Smith introduced Autumn Flint-Burns as her new assistant/aide.

CITY CLERK'S REPORT

City Clerk Andrise Bernard expressed condolences to Ketley Joachim and her family, discussed the upcoming city election, and praised Commissioner Jean regarding the centennial classical concert.

CONSENT AGENDA

Special Commission Meeting Minutes of July 14, 2026

Commission Conference Minutes of July 21, 2026

Regular Commission Meeting Minutes of July 21, 2026

Budget Workshop Minutes of August 20, 2026

Resolution R2026-106 Approving Acceptance of Florida Department of Environmental Protection (DEP) Legislative Funding Award for Highland Village Drainage Project Phase 1 (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (“DEP”) LEGISLATIVE FUNDING AWARD L0507 IN THE AMOUNT OF \$325,000.00 FOR THE HIGHLAND VILLAGE DRAINAGE PROJECT PHASE 1; AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEP GRANT AGREEMENT AND ALL RELATED DOCUMENTS; AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ADMINISTER THE PROJECT AND CARRY OUT ALL GRANT REQUIREMENTS; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-107 Approving Acceptance of the Hazard Mitigation Grant Program (HMGP) Award for the Citywide Stormwater Master Plan (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM AWARD FOR PROJECT 4673-305-P52 IN THE AMOUNT OF \$216,153.75; AUTHORIZING THE CITY MANAGER TO EXECUTE SUB-RECIPIENT AGREEMENT H1458 AND ALL RELATED DOCUMENTS; AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ADMINISTER THE PROJECT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-108 Approving and Authorize a Contract Extension and Increase for the Purchase of Liquid Lime Sludge Loading, Hauling, and Disposal Services with Prolime Corporation (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A CONTRACT EXTENSION TO THE PREVIOUSLY APPROVED CONTRACT WITH PROLIME CORPORATION FOR THE PURCHASE OF LOADING, HAULING, AND DISPOSAL OF LIQUID LIME SLUDGE IN AN AMOUNT NOT TO EXCEED \$110,000.00 PER MONTH FOR UP TO FIVE MONTHS; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR

SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-111 Approving Task Order for Professional Engineering Services for NWTP Wellfield Condition Assessment with Hazen and Sawyer (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A TASK ORDER FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NORWOOD-OEFFLER WATER TREATMENT PLANT WELLFIELD CONDITION ASSESSMENT IN AN AMOUNT NOT TO EXCEED \$163,630.00 WITH HAZEN AND SAWYER UNDER THE "CONTINUING SERVICES AGREEMENT" FOR PROFESSIONAL CONSULTING SERVICES; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-113 Approving Purchase Order Between the City and BBA Pumps, Inc. for the Purchase of Two Diesel Driven Dewatering and Sewage Pumps (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A PURCHASE ORDER BETWEEN THE CITY AND BBA PUMPS, INC. FOR THE PURCHASE OF TWO DIESEL DRIVEN DEWATERING AND SEWAGE PUMPS IN A BUDGETED AMOUNT NOT TO EXCEED \$131,860.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-116 Affirming the City's Commitment to Combating Antisemitism (Mayor Michael Joseph and Commissioner Fortuna Smukler)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH AFFIRMING THE CITY'S COMMITMENT TO COMBAT ANTISEMITISM AND ADOPTING THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE (IHRA) WORKING DEFINITION OF ANTISEMITISM; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve the Consent Agenda made by Commissioner Chernoff, seconded by Vice Mayor Fleurimond.

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

QUASI-JUDICIAL

Resolution R2026-117 Prestige Motor Imports Conditional Use (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE CONDITIONAL USE AND SITE PLAN APPLICATION LOCATED AT 15090 BISCAYNE BOULEVARD, NORTH MIAMI BEACH, FLORIDA FOR PRESTIGE MOTOR IMPORTS FOR THE CONSTRUCTION OF A 48 SPACE PARKING LOT AS PART OF AN PARKING LOT USE; PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Andrise Bernard stated 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 announced that she received a Jennings Disclosure form from Commissioner Chernoff, Commissioner Jean, Commissioner Smukler, and Commissioner Su.

Commissioner Smith, Vice Mayor Fleurimond, and Mayor Joseph disclosed the names of the individuals (if any) that they communicated with and confirmed their ability to make a decision based on the information/evidence presented at this meeting.

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

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

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

1. Mubarak Kazan

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

Carlos Ballbe appeared before the Mayor and Commission on behalf of the applicant (Prestige Imports) and provided an explanation regarding the proposed project.

Interim Director of Community Development Edward Ng presented the site plan and conditional use review standards.

Motion to approve Resolution R2026-117 made by Commissioner Smith, seconded by Commissioner Smukler.

Roll Call Vote:

Chernoff - **Yes**

Jean - **Yes**

Smith - **Yes**

Smukler - **Yes**

Su - **Yes**

Fleurimond - **Yes**

Joseph - **Yes**

MOTION PASSED 7-0.

LEGISLATION

Resolution R2026-90 Change Order to Contract with TechGroupOne, Inc. for the Installation of Transit Bus Shelters at Various Locations of North Miami Beach (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH TECHGROUPONE, INC., INCREASING THE ESTIMATED EXPENDITURE BY \$92,799.00 FOR TRANSIT SHELTER AMENITIES AND OUTDOOR EQUIPMENT INSTALLATION; 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 R2026-90 was pulled from the Consent Agenda.

Director of Public Works Hamid Nikvan provided an explanation of the resolution.

Motion to approve Resolution R2026-90 made by Commissioner Chernoff, seconded by Commissioner Smukler.

MOTION PASSED 7-0.

Resolution R2026-97 Development of an Arts District and Cultural Corridor along N.E. 164th Street and Snake Creek Canal (Commissioner Phyllis S. Smith)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, FOR DEVELOPMENT OF AN ARTS DISTRICT; 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 R2026-97 was pulled from the Consent Agenda.

Motion to defer Resolution R2026-97 to the next Commission Meeting made by Commissioner Smith, seconded by Commissioner Su.

MOTION PASSED 7-0.

Resolution R2026-109 Approving and Authorizing Award of RFP-2026-02 for NMB Water Strategic Communication Services (Sponsored by City Manager Darvin Williams)

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 CIRCLE OF ONE MARKETING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE PROPOSER, TO PROVIDE STRATEGIC COMMUNICATIONS SERVICES FOR THE NMB PURE INITIATIVE IN AN AMOUNT NOT

TO EXCEED \$148,000.00; SUBJECT TO BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT AND 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 R2026-109 was pulled from the Consent Agenda.

The Mayor and Commission discussed the resolution.

Motion to approve Resolution R2026-109 made by Commissioner Chernoff, seconded by Commissioner Jean.

MOTION PASSED 7-0.

Motion to approve to direct the City Manager to present a report of the result of the campaign regarding Resolution R2026-109 at the next Commission Meeting made by Commissioner Jean, seconded by Vice Mayor Fleurimond.

MOTION PASSED 6-1 with Commissioner Smukler opposed.

Resolution R2026-110 Approve and Authorize an Increase to the Annual Expenditure via a Contract Change Order with Invoice Cloud, Inc. for the Purchase of Electronic Billing and Payment Software Solution Services (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING AN INCREASE TO THE ANNUAL EXPENDITURE BY \$50,000.00 VIA CONTRACT CHANGE ORDER WITH INVOICE CLOUD, INC. FOR THE PURCHASE OF ELECTRONIC BILLING AND PAYMENT SOFTWARE SOLUTION SERVICES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-110 was pulled from the Consent Agenda.

Director of Public Utilities Hamid Nikvan provided an explanation of the resolution.

Motion to approve Resolution R2026-110 made by Commissioner Chernoff, seconded by Commissioner Su.

MOTION PASSED 7-0.

Resolution R2026-112 Approving Task Order for Professional Engineering Services and Regulatory Assistance for the City's Cycle 3 Sanitary Sewer Evaluation Survey with Hazen and Sawyer (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A TASK ORDER INCREASE FOR PROFESSIONAL ENGINEERING SERVICES AND REGULATORY ASSISTANCE FOR

THE CITY'S CYCLE 3 SANITARY SEWER EVALUATION SURVEY INCREASING EXPENDITURE BY \$28,000.00 WITH HAZEN AND SAWYER UNDER THE "CONTINUING SERVICES AGREEMENT" FOR PROFESSIONAL CONSULTING SERVICES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-112 was pulled from the Consent Agenda.

Director of Public Utilities Hamid Nikvan provided an explanation of the resolution.

Motion to amend Resolution R2026-112 to change \$28,000.00 to \$38,000.00 made by Commissioner Smith, seconded by Commissioner Smukler.

Motion to approve Resolution R2026-112 as amended made by Commissioner Smith, seconded by Commissioner Smukler.

MOTION PASSED 7-0.

Resolution R2026-114 Approving and Authorizing the Renewal of Citywide Group Insurance for FY26-27 with Aetna, Inc. (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA APPROVING AND AUTHORIZING THE RENEWAL OF CITYWIDE GROUP INSURANCE BENEFITS WITH AETNA, INC. FOR THE CITY'S GROUP MEDICAL, DENTAL, AND VISION INSURANCE 2026-2027 PLAN YEAR AND THE RENEWAL OF ANCILLARY BENEFITS FOR 2026-2027 PLAN YEAR; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-114 was pulled from the Consent Agenda.

The Mayor and Commission discussed the resolution.

Motion to approve Resolution R2026-114 made by Vice Mayor Fleurimond, seconded by Commissioner Smith.

MOTION PASSED 7-0.

Resolution R2026-115 Aventura Rehab and Nursing Center (Sponsored by City Attorney)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING RESOLUTION R2023-120 TO REMOVE THE LANGUAGE RESTRICTING THE USE OF THE WORD 'AVENTURA' IN THE PROJECT NAME AND WEBSITE ADDRESS; 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 R2026-115 was pulled from the Consent Agenda.

City Attorney Joseph Geller provided an explanation of the resolution.

The Mayor and Commission discussed the resolution.

Motion to approve Resolution R2026-115 made by Commissioner Smukler, seconded by Mayor Joseph.

MOTION PASSED 4-3 with Commissioner Chernoff, Commissioner Smith, and Commissioner Su opposed.

Ordinance No. 2026-05 (First Reading) Political Signs Code Ordinance (Sponsored by Commissioner Lynn Su)

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE NORTH MIAMI BEACH SIGN CODE AS TO POLITICAL SIGNS; SHORTENING THE TIME TO REMOVE SIGNS POST ELECTION AND INCREASING THE AMOUNT OF THE SIGN BOND AND SPECIFYING THE DATE WHEN POLITICAL SIGNS MAY BE POSTED; PROVIDING CONFLICTS; SEVERABILITY; CODIFICATION; AND FOR AN EFFECTIVE DATE.

Commissioner Su provided an explanation of the ordinance.

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

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

1. Terrance Camenzuli
2. Karen Harrold
3. Mara Hauck
4. Barbara Kramer
5. Mubarak Kazan

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

City Attorney Joseph Geller stated that the ordinance will contain a provision for a bond waiver upon demonstration of financial hardship.

The Mayor and Commission discussed the ordinance.

Motion to approve Ordinance No. 2026-05 made by Vice Mayor Fleurimond, seconded by Commissioner Su.

Roll Call Vote:

Jean - **Yes**

Smith - **No**

Su - **Yes**

Chernoff - **Yes**

Fleurimond - **Yes**

Joseph - **Yes**

Smukler - **No**

MOTION PASSED 5-2 with Commissioner Smith and Commissioner Smukler opposed.

Ordinance No. 2026-13 (First Reading) Amending Code for No Wake Zones (Sponsored by City Manager Darvin Williams)

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO DESIGNATE ALL CITY CANALS AS IDLE SPEED/NO WAKE ZONES AND PORTIONS OF BISCAYNE BAY AS SLOW SPEED/MINIMUM WAKE ZONES; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Ordinance No. 2026-13 was deferred to the next Commission Meeting.

Resolution R2026-104 Modification of the Agreement Between the City and Miami-Dade County to Permit the Partial Release and Modification of Deed Restriction for Greynolds Park (Sponsored by City Manager Darvin Williams)

A RESOLUTION BY THE CITY OF NORTH MIAMI BEACH PROVIDING FOR THE MODIFICATION OF THE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND MIAMI-DADE COUNTY TO PERMIT THE PARTIAL RELEASE AND MODIFICATION OF DEED RESTRICTION FOR GREYNOLDS PARK DATED DECEMBER 14, 1934 FOR THE EXPRESSED CONSTRUCTION AND OPERATION OF A PUBLIC STORMWATER PUMP STATION AND RELATED INFRASTRUCTURE BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING FOR CONFLICTS, SCRIVENER'S ERRORS, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim Director of Community Development Edward Ng provided an explanation of the resolution.

Motion to approve Resolution R2026-104 made by Commissioner Chernoff, seconded by Commissioner Smith.

MOTION PASSED 7-0.

Resolution R2026-118 Terminating and Replacing Greenspoon Marder, LLP. (Sponsored by Commissioner Lynn Su)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, TERMINATING THE RETAINER AGREEMENT WITH GREENSPOON MARDER, LLP. FOR CITY ATTORNEY SERVICES; APPOINTING STEVEN W. ZELKOWITZ, P.A. TO SERVE AS INTERIM CITY ATTORNEY; AUTHORIZING AND

DIRECTING THE CITY MANAGER TO EXECUTE A RETAINER AGREEMENT WITH STEVEN W. ZELKOWITZ, P.A. IN SUBSTANTIALLY SIMILAR FORM TO THE CITY'S EXISTING RETAINER AGREEMENT FOR A TERM NOT TO EXCEED SIX MONTHS OR UNTIL SUCH TIME AS THE CITY COMMISSION APPOINTS A PERMANENT CITY ATTORNEY OR TAKES OTHER ACTION, WHICHEVER OCCURS FIRST, AT A MONTHLY RETAINER OF THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00); PROVIDING FOR THE ORDERLY TRANSITION OF LEGAL SERVICES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor and Commission discussed the resolution.

Motion to approve Resolution R2026-118 made by Commissioner Su, seconded by Commissioner Smukler.

MOTION FAILED 3-4 with Mayor Joseph, Vice Mayor Fleurimond, Commissioner Chernoff, and Commissioner Jean opposed.

Resolution R2026-119 Approving a Moratorium on Permanent Charter Member Selection (Sponsored by Commissioner Fortuna Smukler)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE APPOINTMENT OF PERMANENT CHARTER OFFICERS DURING THE PERIOD IMMEDIATELY PRECEDING AND FOLLOWING THE 2026 MUNICIPAL ELECTION; PROVIDING THAT NO PERMANENT CHARTER OFFICER SHALL BE APPOINTED UNTIL ALL MEMBERS OF THE CITY COMMISSION ELECTED DURING THE 2026 MUNICIPAL ELECTION HAVE BEEN DULY SWORN INTO OFFICE; PRESERVING THE AUTHORITY OF THE CITY COMMISSION TO MAKE INTERIM OR ACTING APPOINTMENTS NECESSARY TO ENSURE CONTINUITY OF MUNICIPAL OPERATIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2026-119 was deferred to the next Commission Meeting.

Resolution R2026-120 Ratifying and Approving a Budget Transfer for Legal Expenses (Sponsored by City Manager Darvin Williams)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING AND APPROVING AN INTERFUND BUDGET TRANSFER WITHIN THE ANNUAL BUDGET FOR FISCAL YEAR OCTOBER 1, 2025 TO SEPTEMBER 30, 2026 IN THE AMOUNT OF FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) FROM LIABILITY INSURANCE FUND CONTINGENCY ACCOUNT TO GENERAL FUND LEGAL PROFESSIONAL SERVICES ACCOUNT TO SUPPORT UNANTICIPATED LEGAL EXPENSES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Darvin Williams provided an explanation of the resolution.

Motion to approve Resolution R2026-120 made by Commissioner Chernoff, seconded by Mayor Joseph.

MOTION PASSED 7-0.

Resolution R2026-121 Transferring Legal Services In-House (Sponsored by Commissioner Lynn Su)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO REALLOCATE FUNDING FROM A LINE ITEM CURRENTLY DESIGNATED TO COVER CONTRACTUAL SERVICES TO LINE ITEMS TO FUND FULL-TIME PERSONNEL TO STAFF THE OFFICE OF THE CITY ATTORNEY; PROVIDING FOR A STAFFING LEVEL OF ONE FULL-TIME CITY ATTORNEY, ONE (1) FULL-TIME ASSISTANT CITY ATTORNEY, AND ONE FULL-TIME PARALEGAL ASSISTANT; PROVIDING THAT THE INITIAL ANNUAL PERSONNEL BUDGET FOR THE OFFICE OF THE CITY ATTORNEY SHALL NOT EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Darvin Williams provided an explanation of the resolution.

Resolution R2026-121 was withdrawn.

APPOINTMENTS

Motion to approve the appointment of Virginia Breedlove to the Commission on the Status of Women made by Commissioner Smukler, seconded by Commissioner Smith.

MOTION PASSED 7-0.

Motion to approve the appointment of Virginia Breedlove to the Library Board made by Commissioner Smukler, seconded by Commissioner Chernoff.

MOTION PASSED 7-0.

Motion to approve the appointment of Alter Gambarte to the Beautification Committee made by Commissioner Chernoff, seconded by Vice Mayor Fleurimond.

MOTION PASSED 7-0.

Motion to approve the appointment of Commissioner Phyllis Smith as Vice Mayor effective September 1, 2026 made by Vice Mayor Fleurimond, seconded by Commissioner Su.

MOTION PASSED 7-0.

ADJOURNMENT

The Regular Commission Meeting was adjourned at 10:21pm.

ATTEST:

(SEAL)

Andrise Bernard, MMC, City Clerk