



CITY OF NORTH MIAMI BEACH
City Hall, Commission Chambers, 2nd Floor
17011 NE 19th Avenue
North Miami Beach, FL 33162
Tuesday, April 15, 2025
6:00 PM

Mayor Michael Joseph

Vice Mayor Lynn Su

Commissioner Jay R. Chernoff

Commissioner McKenzie Fleurimond

Commissioner Daniela Jean

Commissioner Phyllis S. Smith

Commissioner Fortuna Smukler

City Manager Mario A. Diaz

City Attorneys Greenspoon Marder LLP

City Clerk Andrise Bernard, MMC

Notice to All Lobbyists

Any person who receives compensation, remuneration or expenses for conducting lobbying activities is required to register as a Lobbyist with the City Clerk prior to engaging in lobbying activities before City Boards, Committees, or the City Commission.

City Commission Meeting Agenda

- 1. ROLL CALL OF CITY OFFICIALS**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO THE AGENDA**
- 5. PRESENTATIONS / DISCUSSIONS**
- 6. PUBLIC COMMENT**

To All Citizens Appearing Under Public Comment

The Commission has a rule which does not allow discussion on any matter which is brought up under Public Comment. We are, however, very happy to listen to you. The reason for this is that the Commission must have Staff input and prior knowledge as to the facts and figures, so that they can intelligently discuss a matter. The Commission may wish to ask questions regarding this matter, but will not be required to do so. At the next or subsequent Commission meeting you may

have one of the Commissioners introduce your matter as his or her recommendation. We wish to thank you for taking the time to bring this matter to our attention. Under no circumstances will personal attacks, either from the public or from the dais, be tolerated.

Speaking Before the City Commission

There is a three (3) minute time limit for each speaker during public comment and a three (3) minute time limit for each speaker during all public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If you have a matter you would like to discuss which requires more than three (3) minutes, please feel free to arrange a meeting with the appropriate administrative or elected official. In the Commission Chambers, citizen participants are asked to come forward to the podium, give your name and address, and the name and address of the organization you are representing, if any. If you are speaking on a public hearing item, please speak only on the subject for discussion. Thank you very much, in advance, for your cooperation.

Pledge of Civility

A resolution was adopted by the Mayor and City Commission of the City of North Miami Beach recognizing the importance of civility, decency, and respectful behavior in promoting citizen participation in a democratic government. The City of North Miami Beach calls upon all residents, employees, and elected officials to exercise civility toward each other. (Resolution Nos. R2007-57, 11/06/07 and R2011-22, 4/26/11)

Unattended Personal Items Notice

Please be advised that personal belongings and electronic devices cannot be left unattended. All unattended personal belongings and electronic devices will be confiscated.

7. ANNOUNCEMENTS

8. CITY COMMISSION REPORTS

9. CONSENT AGENDA

**9.1. Commission Conference Meeting Minutes of March 18, 2025
(Andrise Bernard, MMC, City Clerk)**

9.2. Regular Commission Meeting Minutes of March 18, 2025 (Andrise Bernard, MMC, City Clerk)

**9.3. Resolution No. R2025-41 Approve Change Order for Rexel, 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 CHANGE ORDER TO THE CONTRACT
WITH REXEL, USA, INC. INCREASING THE CONTRACT BY AN**

ANNUAL AMOUNT NOT TO EXCEED \$70,000.00; 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; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.4. Resolution No. R2025-42 Opposing the Imposition of Fees by the Miami-Dade County Tax Collector (Mario A Diaz, City Manager)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, OPPOSING THE IMPOSITION OF FEES BY THE MIAMI-DADE COUNTY TAX COLLECTOR ON THE CITY PURSUANT TO SECTION 192.091(2), FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO TRANSMIT A FORMAL RESPONSE TO THE TAX COLLECTOR SEEKING RESCISSION OF THE FEE LETTER; AUTHORIZING THE CITY ATTORNEY AND CITY MANAGER TO INITIATE OR JOIN LITIGATION AS NECESSARY TO PROTECT THE INTERESTS OF THE CITY, ITS RESIDENTS, AND THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.5. Resolution No. R2025-43 Establishing a Policy for Expansion of NMB Water Service Areas (Mayor Michael Joseph)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DECLARING IT TO BE THE POLICY OF THE CITY TO ESTABLISH AND MAINTAIN NMB WATER AS A REGIONAL PROVIDER OF WATER AND SEWER SERVICES; EXPRESSING THE CITY'S INTENT TO CONSIDER REQUESTS FOR SERVICE AREA EXPANSIONS FROM PUBLIC OR PRIVATE UTILITIES; AUTHORIZING THE CITY MANAGER TO RECEIVE SUCH REQUESTS; PROVIDING FOR AN ADVISORY RECOMMENDATION PROCESS THROUGH THE PUBLIC UTILITIES COMMISSION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- 9.6. Resolution No. R2025-44 Initiating Transfer Discussions with Miami-Dade Water and Sewer Department (Mayor Michael Joseph)**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO INITIATE AND NEGOTIATE THE TRANSFER OF NMB WATER CUSTOMER ACCOUNTS LOCATED IN THE CITY OF MIAMI GARDENS TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT, SUBJECT TO THE FAIR

VALUATION AND COMPENSATION OF INFRASTRUCTURE ASSETS, POTENTIAL RECIPROCAL TRANSFER OF SERVICE ACCOUNTS, AND RETENTION OF WATER PRODUCTION FACILITIES BY NMB WATER; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

9.7. Resolution No. R2025-45 Reinstating the Sergeant at Arms Program (Juan Pinillos, Chief of Police)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REPEALING RESOLUTION NO. R2023-20, WHICH TERMINATED THE POLICE DEPARTMENT'S SERGEANT-AT-ARMS DETAIL POLICY; REINSTATING THE SERGEANT-AT-ARMS PROGRAM; DIRECTING THE CITY MANAGER TO IMPLEMENT THE PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

10. QUASI-JUDICIAL

10.1. Resolution No. R2025-46 Consideration for Site Plan Approval and Three Non-Use Variances Located at the Property Address 317 NE 168 Street (Zafar Ahmed, Community Development Director)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING/DENYING A VARIANCE FROM TABLE MU/IB-5, TO ALLOW FOR A REAR SETBACK OF FIVE (5) FEET, IN LIEU OF THE REQUIRED THIRTY (30) FEET; APPROVING/DENYING A VARIANCE FROM TABLE MU/IB-5, TO ALLOW FOR AN INTERIOR SIDE SETBACK OF FIVE (5) FEET, IN LIEU OF THE REQUIRED THIRTY (30) FEET; APPROVING/DENYING A VARIANCE FROM TABLE MU/IB-1, TO ALLOW FOR A ONE-THOUSAND, ONE HUNDRED AND THIRTEEN (1,113) SQUARE FOOT OPEN SPACE, IN LIEU OF THE FOUR-THOUSAND AND FIFTY-TWO (4,052) SQUARE FEET REQUIRED; AND APPROVING/DENYING THE SITE PLAN APPLICATION FOR THE CONSTRUCTION OF A TWELVE (12) UNIT RESIDENTIAL DEVELOPMENT ON A THIRTEEN THOUSAND AND EIGHT (13,008) SQUARE FOOT LOT, WITH TWENTY-FIVE (25) PARKING SPACES, LOCATED AT 317 NE 168th STREET; PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

11. LEGISLATION

11.1. Ordinance No. 2025-01 (Second Reading) Amending Section 9-35 Entitled "Camping Prohibited" (Juan Pinillos, Chief of Police)

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH CODE BY AMENDING CHAPTER IX, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS," BY AMENDING SECTION 9-35 ENTITLED "CAMPING PROHIBITED"; TO PROVIDE A UNIFORM PROCEDURE FOR IDENTIFYING CAMPING AND POLICE DEPARTMENT ENFORCEMENT OF THE CAMPING PROHIBITION; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVERNER'S ERROR, SEVERABILITY; AND PROVIDING FOR

- AN EFFECTIVE DATE.**
11.2. Ordinance No. 2025-02 (First Reading) Code Amendment to Allow For Only Property Owners to Open Water and Sewer Accounts and Establish Recurring Minimum Charges (Hamid Nikvan, NMB Water Director)

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH (NMB), AMENDING CHAPTER XIX, ENTITLED "WATER AND SEWERS" OF THE CITY CODE OF ORDINANCES, SPECIFICALLY AMENDING SECTION 19-4 ENTITLED "WATER AND SEWER DEPOSITS", SECTION 19-9 ENTITLED "DEFINITIONS", SECTION 19-10.1 ENTITLED "APPLICATION, TERM; CHANGE OF OWNERSHIP; TURN-ON REQUESTS", SECTION 19-11.3 ENTITLED "CONSUMER RATES-METERED", SECTION 19-16 ENTITLED "TURN-ON AND SHUT-OFF; CURB COCK TO BE USED BY CITY", SECTION 19-17 ENTITLED "LEAKS AND WASTE", SECTION 19-20 ENTITLED "MISCELLANEOUS PROVISIONS", SECTION 19-31 ENTITLED "RATES AND CHARGES"; PROVIDING FOR PROPERTY OWNER WATER ACCOUNTS AND BILLING CONTINUITY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

- 11.3. Resolution No. R2025-47 Renaming and Codesignation of the Portion of S. Glades Dr. (NE 165 St) Between South Miami Drive to NE 21st Ave as "St. Fort Drive" (Mayor Michael Joseph)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RENAMING AND CODESIGNATION OF THE PORTION OF S. GLADES DR. (NE 165 ST) BETWEEN SOUTH MIAMI DRIVE TO NE 21ST AVE AS "ST. FORT DRIVE"; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE NECESSARY ACTIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AND EFFECTIVE DATE

- 11.4. Resolution No. R2025-48 Approve Sole Source Purchase with Fluid

~~Control Specialties, 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 FLUID CONTROL SPECIALTIES INC. FOR THE SOLE SOURCE PURCHASE OF ZEZURIK, RED VALVE & ROTORK SERVICE AND REPLACEMENT PARTS IN AN ESTIMATED BUDGETED AMOUNT NOT TO EXCEED \$555,108, 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.

- 11.5. Resolution No. R2025-49 Approving Contract Extension with Pro Transportation, Inc. d/b/a ProKel Mobility (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 CONTRACT RENEWAL TO THE PREVIOUSLY APPROVED CONTRACT WITH PRO TRANSPORTATION, INC dba PROKEL MOBILITY FOR THE PURCHASE OF TROLLEY OPERATIONS AND MAINTENANCE SERVICES IN NOT TO EXCEED AMOUNT OF \$460,522.00; AND 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.

12. BUSINESS TAX RECEIPTS - None

13. APPOINTMENTS

13.1. Appointing Commissioner Jay R. Chernoff as Vice Mayor effective May 1, 2025 (Andrise Bernard, MMC, City Clerk)

13.2. Appointing Eloine Cox-Haughton to the General Management Employees Pension Board (Andrise Bernard, MMC, City Clerk)

14. MISCELLANEOUS ITEMS - None

15. DISCUSSION ITEMS

15.1. Resolution No. R2025-17 Ordering an End to Fluoridation of the City of North Miami Beach's Water (Vice Mayor Lynn Su)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ORDERING AN

END TO FLUORIDATION OF THE CITY OF NORTH MIAMI BEACH'S WATER; 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.

15.2.Traffic Calming Projects (Kerlyne McHenry, Interim Public Works Director)

15.3.Sustainability Efforts (Vice Mayor Lynn Su)

15.4.Black & Veatch Transition Plan (Hamid Nikvan, NMB Water Director and Aurelio Carmenates, CIP Director)

15.5.Trolley (Commissioner Smith)

16. CITY MANAGER'S REPORT

16.1.Miami Gardens v. North Miami Beach - Weekly Settlement Claims Administration Progress Update (March 2025)

16.2.NMBPD Monthly Report (March 2025)

16.3.NMB Water Updates & Highlights (March 2025)

16.4.Washington Park Update

16.5.Capital Improvement Program (CIP) Portfolio Dashboard

17. CITY ATTORNEY'S REPORT- None

18. CITY COMMISSION REPORTS

19. MAYOR'S DISCUSSION

20. NEXT REGULAR CITY COMMISSION MEETING

Tuesday, May 20, 2025

21. ADJOURNMENT