

MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST
COMPLAINT FORM



COMPLAINANT (Person bringing complaint):

Name: Stephanie Kienzle
Address: 7535 SW 26 Court City: Davie Zip Code 33314
Contact No.'s: *Specify Home, Work &/or Cell* 305-335-2093 Cell
E-mail: stephanie.kienzle@gmail.com

RESPONDENT (Person against whom complaint is made):

Name: Paule Villard
Address: NMB City Hall, 17011 NE 19 Avenue City North Miami Beach Zip Code 33162
Contact No(s): *Specify Work &/or Cell* 305-833-8922
Title/Office Held or Sought: North Miami Beach Commissioner

ALLEGATION refers to: Person in County Gov't. Person in municipal Gov't. (Specify city) North Miami Beach
AND
 Elections Ethical Campaign Ordinance (Refer to Instructions) County's Citizens' Bill of Rights
 Employee Protection Ordinance (Whistleblower retaliation) (Refer to Instructions) County/Municipal Ethics Code
 Other (Specify) _____

Note: The Ethics Commission does not have jurisdiction over Florida Statutes, State or Federal officials, Judges, or the Miami- Dade County School Board.

STATEMENT OF FACTS BASED ON PERSONAL KNOWLEDEGE: In a separate attachment, please describe in detail the facts and actions that form the basis of your complaint, including dates when the action(s) occurred. Also, attach any relevant documents as well as names and contact information of witnesses or other persons who may have knowledge about the actions. If known, **indicate the section of the ordinance you believe is being violated.** Please refer to the Instructions attached to this Complaint Form for further assistance.

OATH:

I, Stephanie Kienzle, do swear or affirm that the facts set forth in the foregoing complaint & attachments are true and correct to the best my knowledge.

Signature of Complainant /Affiant

STATE OF FLORIDA
COUNTY OF Broward

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization this 1 day of March, 2022

By STEPHANIE KIENZLE
Name of Complainant/Affiant

Personally known to me or produced identification _____

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned _____
Name of Notary Public



ALLEGATIONS AGAINST NORTH MIAMI BEACH COMMISSIONER PAULE VILLARD

Paule Villard is an elected official for the City of North Miami Beach.

On September 1, 2021, the City of North Miami Beach issued an Offer of Employment of a part-time position, per the attached Exhibit A, to Victoria Germain.

Ms. Germain's employment with the City of North Miami Beach was effective September 7, 2021, per the Personnel Transactional Form, attached hereto as Exhibit B.

Victoria Germain is the daughter of Commissioner Paule Villard, as noted by the Emergency Contact Form included Ms. Germain's personnel file, which we obtained by public records request, and attached hereto as Exhibit C.

On September 21, 2021, the Mayor and Commission of North Miami Beach passed on its second reading, a "Living Wage Ordinance," attached hereto as Exhibit D, granting to all employees, including part-time employees, a "living wage" of \$15.00 per hour. This Ordinance was passed by a vote of 7-0.

Commissioner Paule Villard was one of the seven (7) elected officials who voted to pass this "Living Wage Ordinance," as evidenced by the Regular City Commission Meeting Minutes of the September 21, 2021, attached hereto as Exhibit E.

On October 1, 2021, as evidenced by the Personnel Transaction Form, attached hereto as Exhibit F, Victoria Germain did receive a pay increase to \$15.00 in accordance with the "Living Wage Ordinance" passed by the City Commission on September 21, 2021.

By not disclosing that her daughter, Victoria Germain would directly benefit from the passage of this "Living Wage Ordinance," and then voting to pass this Ordinance, Commissioner Paule Villard is in violation of Sec. 2-11.1. (r) of the Miami-Dade County Code of Ethics.

On January 18, 2022, the Mayor and Commission of North Miami Beach passed Resolution No. 2022-18 for the Establishment of a Tuition Reimbursement Policy Resolution, attached hereto as Exhibit G. This Resolution to expand its current tuition reimbursement policy to include "regular part-time employees," which policy includes Victoria Germain, the daughter of Commissioner Paule Villard.

During the meeting when this Resolution was discussed, at 10:24 PM Commissioner Barbara Kramer specifically asked if any one of the elected officials were related to a City employee, part-time or full-time, adding that if that were the case, that person needed to recuse him or herself from the vote.

Commissioner Paule Villard remained silent and did not admit that her daughter, Victoria Germain, was a part-time City employee. She also did not recuse herself from the vote.

Although the Regular City Commission Meeting Minutes of the January 18, 2022 Commission meeting are not yet available, this Resolution was passed at 10:34 PM by a vote of 6-1, with Commissioner Barbara Kramer opposing, as evidence by the video of the meeting posted on the City's website at:

https://citynmb.granicus.com/MediaPlayer.php?view_id=1&clip_id=872

By not disclosing that her daughter, Victoria Germain would directly benefit from the passage of this Resolution, and then voting to pass this Resolution, Commissioner Paule Villard is in violation of Sec. 2-11.1. (r) of the Miami-Dade County Code of Ethics.



City of North Miami Beach, Florida

Office of the City Manager

September 1, 2021

Victoria Germain

119.071(4)(d) - Home Addresses,
Telephone Numbers, SS Numbers, Dates
of Birth and Photographs of Active or

Subject: Offer of Employment

Dear Ms. Germain,

On behalf of the City of North Miami Beach, I am pleased to offer you a part-time Internship position with the Police department. This position is temporary and shall end three (3) weeks after your starting date.

In this position your compensation will be \$13.00 per hour and will be eligible to work up to 29 hours per week. Under the terms of the City's benefits plan and policies, you will not be eligible for employee benefits, including paid time off or holiday pay.

In accepting employment, you agree to be bound by and to comply with all City policies and procedures. In addition, you acknowledge that nothing in this offer letter or any other oral or written representations is intended to create a fixed term of employment with the City. Your employment with the City is at-will, meaning that the City will be free to terminate your employment at any time, with or without cause, and that you will be free to resign from your employment with the City at any time. You also acknowledge that this offer is intended as written, and that no marginal notations or other revisions to this offer are binding on the City.

Please understand that this offer of employment is contingent upon the receipt of the results of a satisfactory background check and, if applicable, a drug and alcohol screening test. Additionally, the City of North Miami Beach is required by federal law to verify the identity and work authorization of all new employees. Accordingly, this offer is also contingent upon such verification.

We look forward to welcoming you to the City, subject to the terms outlined in this letter. Please feel free to contact the Human Resources Department if you have any questions.

Sincerely,

Arthur H. Sorey, III,
City Manager



**CITY OF NORTH MIAMI BEACH
PERSONNEL TRANSACTION FORM**

NAME: Germain, Victoria

EMPLOYEE ID #:

POS. #:

(A) INITIAL APPOINTMENT – TYPE OF HIRE				EFFECTIVE DATE		09-07-2021	
New Hire <input checked="" type="checkbox"/>	Rehire <input type="checkbox"/>	Recall <input type="checkbox"/>	Full-Time <input type="checkbox"/>	Part-time: <input type="checkbox"/> Regular <input checked="" type="checkbox"/> Seasonal <input type="checkbox"/> Temp. <input type="checkbox"/>			
Job Title/#: Intern	Pos. # 78004		Fund # 010	Div. # 500	Rate of Pay \$ 13.00		
PENSION (to be completed by HR)		General <input type="checkbox"/>	Police <input type="checkbox"/>	Management <input type="checkbox"/>	Effective Date:		

(B) SEPARATION/RETIREMENT/STAFFING TABLE				EFFECTIVE DATE			
Resignation <input type="checkbox"/>	Termination: Probationary <input type="checkbox"/> Disciplinary <input type="checkbox"/>	Lay-off: Permanent <input type="checkbox"/> Temp. <input type="checkbox"/>		Deceased <input type="checkbox"/>			
Separation w/vested rights: Yes <input type="checkbox"/> No <input type="checkbox"/>		Eligible for Rehire: Yes <input type="checkbox"/> No <input type="checkbox"/>					
RETIREMENT:	Normal <input type="checkbox"/>	D.R.O.P <input type="checkbox"/>	Disability <input type="checkbox"/>		Service Connected: Yes <input type="checkbox"/> No <input type="checkbox"/>		
STAFFING TABLE:	Retain Vacancy Yes <input type="checkbox"/> No <input type="checkbox"/>	FILL VACANCY: Yes <input type="checkbox"/> (Employment Requisition Required) No <input type="checkbox"/>					

(C) PAYOUTS (TO BE COMPLETED BY HR)							
Annual Hours:	Amount \$	Comp. Hours:	Amount \$				
Sick Hours:	Amount \$	Longevity Hours:	Amount \$				
Amount of Tuition Reimbursement to Recover \$				Total Payout \$			

(D) EMPLOYMENT STATUS					EFFECTIVE DATE			
Promotion Increase %	<input type="checkbox"/> Demotion Decrease %	<input type="checkbox"/> Merit Increase or Maxed Out %						
<input type="checkbox"/> Reclass of Position	<input type="checkbox"/> Allocation of Position	<input type="checkbox"/> Lateral Position Transfer (CSB) Approval		<input type="checkbox"/> Dept./Division Transfer				
<input type="checkbox"/> P-T Regular/Seasonal to F-T	<input type="checkbox"/> F-T to P-T Regular/Seasonal	<input type="checkbox"/> P-T Seasonal to P-T Regular		<input type="checkbox"/> P-T Regular To P-Seasonal				
Current Job Title/#:	Pos. #	Fund #	Div. #	Rate of Pay \$				
New Job Title/#:	Pos. #	Fund #	Div. #	Rate of Pay \$				

(E) PREMIUMS				EFFECTIVE DATE					
SLDF	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Cell Phone (attach form)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Auto Allow.	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Executive Allow	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
CTO	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Detective	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
FTO	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Honor Guard	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Hostage	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	K-9	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Motor Unit	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	STR	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Auto Allow	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Take Home Car (attach form)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Traffic Hom	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	PICR (attach memo)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$				
Shift Diff	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Shift Change From:	Hours	To:	Hours			

(F) COMMENTS	

(G) APPROVALS (SIGNATURE)			
1) Department Director	<i>A. Chief</i>	Date:	9-7-21
2) Finance Director	<i>[Signature]</i>	Date:	9/9/2021
3) Human Resources Director	<i>[Signature]</i>	Date:	9-9-21
4) Deputy /Assistant City Manager		Date:	
5) City Manager/Designee	<i>A. Germain</i>	Date:	9/14/21



City of North Miami Beach, Florida
Department of Human Resources & Risk Management

EMERGENCY CONTACT FORM

EMPLOYEE NAME (PRINT): Victoria Germain

IN THE EVENT OF AN EMERGENCY, PLEASE CONTACT:

EMERGENCY CONTACT NAME: Paule Villard

RELATIONSHIP: mother

PHONE: 119.071(4)(d) - Home Addresses, Telephone Numbers, SS Numbers, Dates of Birth and Photographs of

ADDRESS: 119.071(4)(d) - Home Addresses, Telephone Numbers, SS Numbers, Dates of Birth and Photographs of Active or Former Sworn or Civilian Law Enforcement Personnel, State Attorneys, Judges, Code Enforcement Officers, Firefighters, corrections officers, HR managers, probation officers, public defenders, child abuse investigators, child support enforcement officers and Others; and the Names, Home Addresses, Telephone Numbers, Social Security Numbers, Photographs, Dates of Birth, and Places of Employment of the Spouses and Children of Such Personnel. and the Names and Locations of Schools and Day Care Facilities Attended by the Children of Such Personnel.

CITY, STATE, 119.071(4)(d) - Home Addresses, Telephone Numbers, SS Numbers, Dates of Birth and Photographs of Active or Former Sworn or Civilian Law Enforcement Personnel, State Attorneys, Judges, Code Enforcement Officers, Firefighters, corrections officers, HR managers, probation officers, public defenders, child abuse investigators, child support enforcement officers and Others; and the Names, Home Addresses, Telephone Numbers, Social Security Numbers, Photographs, Dates of Birth, and Places of Employment of the Spouses and Children of Such Personnel. and the Names and Locations of Schools and Day Care Facilities Attended by the Children of Such Personnel.

V. Germain
EMPLOYEE SIGNATURE

08/25/2021
DATE

(HR-Revised 04/2017)

EXHIBIT D

ORDINANCE NO. 2021-05

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 AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County and cities in Miami-Dade County, including Miami Beach and the City of Miami, have recognized the need to establish a living wage requirement for government employees and for those contractors who provide services to government to allow citizens the opportunity to support themselves and their families above the poverty line and with dignity; and

WHEREAS, the City of North Miami Beach recognizes that there are a significant number of City employees and employees of contractors who are not able to support themselves on minimum wage or on wages slightly above minimum wage; and

WHEREAS, the City of North Miami Beach find that it is in the best interests of its citizens to provide a living wage to City employees and for employees of contractors doing business over \$50,000 in value with the City of North Miami Beach; and

WHEREAS, the living wage requirement and amounts as set forth herein will be included in the 2021-22 budget for city employees and will go into effect on January 1, 2022, for the City and for contractors who enter into service agreements/contracts with the City as of October 1, 2021.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Commission of the City of North Miami Beach, Florida:

Section 1. That the recitals and finding contained in the forgoing “whereas” clauses are adopted by reference and incorporated as if fully set forth in this section.

Section 2. That Chapter V, entitled “Human Resources (Personnel)”, is hereby amended to create a new section 5-3 entitled “Living Wage Requirements for City Employees and Service Contracts” which shall provide as follows:

Section 5-3 Reserved-Living Wage Requirements for City Employees and Service Contracts.

Sec. 5-3.1 Definitions.

City means the government of the City of North Miami Beach or any authorized agents, any board, agency, commission, department, or other entity thereof, or any successor thereto.

Contract means any contract to provide services to the city in which the total value of the contract exceeds \$50,000.00 per year.

Contractor means any "for profit" individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business entity which meets the following criteria:

- (a) The contractor is paid in whole or part from one or more of the city's general funds, capital project funds, special revenue funds, or any other funds, including, but not limited to, grants, donations, and the like, whether by competitive bid process, requests for proposals, or some other form of competitive solicitation, negotiation, or agreement, or any other decision to enter into a contract; and
- (b) The contractor is engaged in the business of or part of a contract to provide services for the benefit of the city. This section shall apply to employees of the contractor who spend the majority of their time on covered City of North Miami Beach service contracts. If the contract is for both goods and services, it shall apply only to the services portion of such contract. This section shall not apply to contracts which are primarily for the sale or leasing of goods.

Covered employee means anyone employed by the city working either full or part time, with or without benefits.

Covered employer means the city and service contractors and subcontractors of service contractors.

Health benefits shall, at a minimum, mean health insurance coverage which consists of wellness and preventive care, including maternity, and that provides the services described in F.S. § 408.9091(4)(6) and (7).

Living wage means a wage that is as defined in Section 5-3.2 of this Code. The living wage may be adjusted once annually by an amount equivalent to the cost of living adjustment for Miami-Dade County as published by the United States Department of Labor, Bureau of Labor Statistics. Language so stating will be included in all request for proposals, or other competitive solicitation documents, issued by the city for the procurement of services (unless the living wage provisions are excluded as provided in section 5-3.2 herein).

New service contracts means those contracts competitively solicited and awarded on or after October 1, 2021.

Service contract means a contract to provide services to the city excluding, however, professional services as defined by the "Consultants Competitive Negotiation Act" set forth in F.S. § 287.055, and section 3-3.9 of the City Code and/or the other exclusions provided by section 5-3.2 of the City Code.

Sec. 5-3.2 Living Wage.

(a) Living wage paid.

- (1) Hourly Living Wage Rates are as follows:

- a. Living wage rate with health care benefits. Covered employees must be paid a living wage rate of no less than \$11.83 per hour, in addition to \$3.17 per hour towards health care benefits as described in section 5-3.2(b).
- b. Living wage rate without health care benefits. If a covered employer does not offer a covered employee health benefits, the covered employee must be paid a living wage rate of no less than \$15.00 per hour.

(2) City employees. For covered employees of the city, the city will begin to pay the living wage beginning with the Fiscal Year 2021 City Budget to be fully implemented by January 1, 2022. Thereafter, the living wage to be paid by the city to its employees shall be subject to adjustments as approved as part of the annual budget process, and when applicable, subject to negotiations within the collective bargaining structure.

(3) New service contractors. All new service contracts shall pay to all its employees who provide services as contemplated herein to the City a living wage as defined in this section unless otherwise excluded pursuant to this article.

(4) Existing service contracts. Service contracts awarded and effective or competitively solicited prior to September 30, 2021, shall not be subject to the payment of the living wage set forth in this section and shall continue to be governed by the terms and conditions of the respective solicitation and resulting contractual documents, when applicable.

(5) The living wage provisions shall apply to all contracts covered by this section unless specifically excluded by one or more subsections below:

- a. The living wage provision is disallowed by a federal or state law or regulation, grant requirements, or by a contract the city is accessing by "piggybacking", and which contract does not include a living wage provision; or
- b. Funding sources for the contract disallow the living wage provision or provide contradictory funding requirements, or are contained in a contract awarded or solicited prior to the effective date of October 1, 2021, and which contract includes renewals or extensions; or
- c. Professional service contracts awarded under the "Consultants Competitive Negotiation Act", F.S. § 287.055, for the professional services within the scope of the practice of architecture, professional engineering, landscape architecture, registered surveying, and/or mapping; or
- d. The living wage provision is waived by the city commission by resolution, prior to issuance of the competitive solicitation document, upon written recommendation of the city manager or authorized designee, when the city commission finds it is in the best interest(s) of the city to approve such waiver, in which case the living wage provision shall not apply in the competitive solicitation document.

(b) Health benefits; eligibility period. For a covered employer to comply with this article by choosing to pay the lower wage scale available when a covered employer also provides a standard health benefit plan, such health benefit plan shall consist of a payment of at least \$3.17 per hour

toward the provision of health benefits for covered employees and their dependents and shall be approved by the city. The minimum amount of payment for the provision of a health benefit plan on a per-hour basis will be calculated on a maximum of a 40-hour work week.

If the health benefit plan of the covered employer requires an initial period of employment for a new employee to be eligible for health benefits (the "eligibility period"), a covered employer may qualify to pay the living wage rate with healthcare benefits established in section 5-3.2(a)(1)a. for a term not to exceed the new employee's eligibility period, provided the new employee will be paid health benefits upon completion of the eligibility period, which period shall not exceed 90 days.

(c) *Indexing.* The living wage rate may, by resolution of the City Commission, be indexed annually for inflation using the Miami PMSA Consumer Price Index for all Urban Consumers (CPI-U) Miami/Ft. Lauderdale, issued by the U.S. Department of Labor's Bureau of Labor Statistics. Commencing on January 1, 2022, the supplemental health care benefits rate (the per hour rate towards health benefits) may, by resolution of the city commission, be separately indexed annually for inflation using the Miami PMSA Consumer Price Index for all Urban Consumers (CPI-U) for the Miami/Ft. Lauderdale area, for medical care only, as issued by the U.S. Department of Labor's Bureau of Labor Statistics. Notwithstanding the preceding, no annual index shall exceed three percent; nor shall an annual increase exceed the corresponding annual compensation increase (if any) provided to unrepresented (i.e., unclassified) city employees. The city commission may also, by resolution, elect not to index the living wage rate in any particular year, if it determines it would not be fiscally sound to implement same (in a particular year). The determination to index (or not index) the living wage rate shall be considered annually during the city commission's review and approval of the city's annual operating budget or with a budget amendment.

In the event that the City Commission has determined, in any particular fiscal year (or years), to not index the living wage rate, and thereafter determines that making up all or any part of the prior year's (or years') unindexed percentage would not have an adverse fiscal impact upon the city, then the city commission shall also have the right, but not the obligation, to cumulatively index the living wage rate to "make-up" for any deficiencies in the prior year (or years) where there was (were) no increase(s) (the "catch up" election). The "catch-up" election must be approved by resolution and may be considered only during the City Commission's review and approval of the city's annual operating budget.

(d) *Collective bargaining.* Nothing in this article shall be read to require or authorize the City, to reduce wages set by a collective bargaining agreement or as required under any prevailing wage law.

(e) *Certification required before payment.* Any and all service contracts subject to this article shall be void, and no funds may be released, unless prior to entering any such contract with the city, the service contractor certifies to the city that it will pay each of its covered employees no less than the living wage. A copy of this certificate must be made available to the public upon request. The certificate, at a minimum, must include the following:

- (1) The name, address, and phone number of the employer, a contact person, and the specific project for which the service contract is sought;
- (2) The amount of the service contract and the city department the contract will serve.
- (3) A brief description of the project or service provided;
- (4) A statement of the wage levels for all covered employees; and
- (5) A commitment to pay all covered employees the living wage.

(f) Posting. A copy of the living wage rate shall be kept posted by the service contractor subject to this article, at the site of the work in a prominent place where it can easily be seen and read by the covered employees and shall be supplied to such employees within a reasonable time after a request to do so. Additionally, service contractors subject to this article, shall furnish a copy of the requirements of this article to any entity submitting a bid for a subcontract on any service contract subject to this article.

Posting requirements will not be required where the service contractor subject to this article, prints the following statements on the front of the covered employee's first paycheck and every six months thereafter. "You are required by the City of North Miami Beach Living Wage Ordinance to be paid a living wage. If you do not believe you are being paid at the living wage rate, contact your employer, an attorney, or the City of North Miami Beach." All notices will be printed in English, Spanish and Creole.

Sec. 5-3.3 Implementation.

(a) Maintenance of payroll records. Each service contractor to which living wage requirements apply, as described in this article, shall maintain payroll records for all covered employees and basic records relating thereto and shall preserve the records for a period of three years from the date of termination or expiration of the service contract. The records shall contain:

- (1) The name and address of each covered employee;
- (2) The job title and classification;
- (3) The number of hours worked each day;
- (4) The gross wages earned and deductions made;
- (5) Annual wages paid;
- (6) A copy of the social security returns and evidence of payment thereof;
- (7) A record of fringe benefit payments including contributions to approved plans; and
- (8) Any other data or information the city shall require from time to time.

(b) Reporting payroll. Every six months, the service contractor to which living wage requirements apply, as described in this article, shall file with the city's Chief Procurement Officer a listing of all covered employees together with a certification of compliance with this article. Upon request from the city, the service contractor shall produce for inspection and copying its payroll records for any or all of its covered employees for any period covered by the service contract. The city may examine payroll records as needed to ensure compliance.

Sec. 5-3.4 Compliance and Enforcement.

- (a) Service contractor to cooperate. The service contractor shall permit city employees, agents, or representatives to observe work being performed at, in, or on the project or matter for which the service contractor has a contract. The city representatives may examine the books and records of the service contractor relating to the employment and payroll of covered employees and may survey covered employees to determine if the service contractor is in compliance with the provisions of this article.
- (b) Complaint procedures and sanctions. An employee who believes that he/she is a covered employee of a service contractor and that the service contractor is or was not complying with the requirements of this article has a right to file a complaint with the city's Chief Procurement Officer. Such complaints may be made at any time and shall be investigated within a reasonable period of time by the city. Written and oral statements by any such employee shall be treated as confidential and shall not be disclosed without the written consent of the employee to the extent allowed by the Florida Statutes.
- (c) Private right of action against service contractor. Any covered employee or former covered employee of a service contractor may, instead of utilizing the city administrative procedure set forth in this article, but not in addition to such procedure, bring an action by filing suit against the service contractor in any court of competent jurisdiction to enforce the provisions of this article and may be awarded back pay, benefits, attorney's fees, and costs. The applicable statute of limitations for such a claim will be two years as provided in F.S. § 95.11(4)(c) as may be amended from time to time for an action for payment of wages. The court may also impose sanctions on the service contractor, including those persons or entities aiding or abetting the service contractor, to include wage restitution to the affected covered employee and damages payable to the covered employee in the sum of up to \$500.00 for each week the service contractor is found to have violated this article.
- (d) Sanctions against service contractors. For violations of this article, the city shall sanction a service contractor by requiring the service contractor to pay wage restitution at its expense for each affected employee. The city may also sanction the service contractor in at least one of the following additional ways:
- (1) The city may impose damages in the sum of \$500.00 for each week for each covered employee found to have not been paid in accordance with this article;
 - (2) The city may suspend or terminate payment under the service contract or terminate the contract with the service contractor; and
 - (3) The city may declare the service contractor ineligible for future service contracts for three years or until all penalties and restitution have been paid in full, whichever is longer. In addition, any employer shall be ineligible for a service contract where principal officers of such employer were principal officers of a service contractor who has been declared ineligible under this article.

- (4) If the contract has been awarded under the city procurement ordinance, the city may debar or suspend the contractor as provided therein.
- (e) Public record of sanctions. All such sanctions recommended or imposed shall be a matter of public record.
- (f) Sanctions for aiding and abetting. The sanctions contained in this article shall also apply to any party or parties aiding and abetting in any violation of this article.
- (g) Retaliation and discrimination barred. A service contractor shall not discharge, reduce the compensation, or otherwise discriminate against any covered employee for making a complaint to the city, or otherwise asserting his or her rights under this article, participating in any of its proceedings or using any civil remedies to enforce his or her rights under this article. Allegations of retaliation or discrimination, if found true in a city administrative proceeding or by a court of competent jurisdiction, shall result in an order of restitution and reinstatement of a discharged covered employee with back pay to the date of the violation or such other relief as deemed appropriate.
- (h) Remedies herein non-exclusive. No remedy set forth in this article is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce the rights under this article or in a court of law. This article shall not be construed to limit an employee's right to bring a common law cause of action for wrongful termination.

Section 3. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Ordinance.

Section 5. It is the intention of the City Commission of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The Sections of this Ordinance may be renumbered or re-lettered to accomplish this intention and the word “Ordinance” may be changed to “Section,” “Article,” or other word as the codified may deem appropriate.

Section 6. This Ordinance shall become effective ten (10) days after adoption on second reading.

[SIGNATURE PAGE TO FOLLOW]

APPROVED on this first reading this _____ day of _____, 2021.

APPROVED AND ADOPTED on second reading this _____ day of _____, 2021.

ATTEST:

ANDRISE BERNARD, CMC
CITY CLERK

(CITY SEAL)

ANTHONY F. DEFILLIPO
MAYOR

APPROVED AS TO FORM, LANGUAGE
AND FOR EXECUTION

HANS OTTINOT
INTERIM CITY ATTORNEY

Sponsored by: Commissioner Michael Joseph



CITY OF NORTH MIAMI BEACH
Regular City Commission Meeting
Julius Littman Performing Arts Theater
17011 N.E. 19th Avenue
North Miami Beach, FL. 33162
Tuesday, September 21, 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

Regular City Commission Meeting Minutes

ROLL CALL OF THE CITY OFFICIALS

The Regular Commission Meeting was called to order at 6:56 p.m.

Present at the meeting in the Littman Performing Arts Theater were Mayor Anthony F. DeFillipo, Vice Mayor Daniela Jean, Commissioner McKenzie Fleurimond, Commissioner Michael Joseph (arrived after roll call was taken), 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.

INVOCATION led by City Clerk Andrise Bernard.

Mayor Anthony F. DeFillipo recognized National Peace Day.

PLEDGE OF ALLEGIANCE was led by the Mayor and Commission.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO THE AGENDA

City Manager Arthur H. Sorey III requested the following changes to the agenda:

- a. Requested to add the CRA budget resolution to the consent agenda.
- b. Requested to proceed with second reading of all ordinances.
- c. Requested to address business tax receipts for Dean's Gold and G5ive extension of operating hours.
- d. Requested the removal of discussion items 15.3, 15.6, 15.7, 15.8 and 15.9 with the approval of each commissioner.

City Clerk Andrise Bernard announced the following changes to the agenda:

- a. Per the request of Mayor DeFillipo and City Manager Sorey III, items leftover from the previous meeting will be heard first.
- b. Per the request of City Manager Sorey III, business tax receipts for Dean's Gold and G5ive extension of operating hours will follow.

- c. Per the request of Vice Mayor Jean, appointment of Johnathan Cyprien for the consideration to the Redevelopment Advisory Board will be added to the agenda.
- d. Per the request of Commissioner Villard, appointment of Hans Mardy for the consideration to the Redevelopment Advisory Board and Senior Citizen Advisory Board will be added to the agenda.
- e. Per the request of Commissioner Kramer, discussion item regarding pension board office space will be added to the agenda.
- f. Per the request of Interim City Attorney Ottinot, a request for NMB to join as a party in a lawsuit filed by other municipalities challenging HB-1 Florida Anti-Riot Law will be added to the City Attorney's Report will be added to the agenda.
- g. Per the request of Commissioner Fleurimond, resolution regarding condemning the inhumane treatment of Haitian Nationals will be added to the agenda.

Motion to approve the amended agenda made by Commissioner Kramer, seconded by Mayor DeFillipo.
Voice Vote: MOTION PASSED 7-0

PRESENTATIONS/DISCUSSIONS

Proclamation Recognizing Childhood Cancer Awareness Month was led by Mayor DeFillipo.

Presentation by the IUPA Actuary was led by City Manager Sorey III and IUPA representative David Kershner.

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. Carmen Bethel
- 2. Marilyn Baumohl
- 3. Keith Myers
- 4. Stephanie Kienzle
- 5. Mubarak Kazan
- 6. Todd Kessel
- 7. Naomi Errison
- 8. Hayes Errison
- 9. Sandra Douglas
- 10. Nathan Winship
- 11. Margie Love

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

Mayor DeFillipo stated there will not be another meeting unless he has control of this forum and if the commission is not in the commission chambers by next month and the commission is still on the Zoom platform, the mayor will be the moderator moving forward.

Commissioner Fleurimond requested a point of order and a question for the City Attorney for which was not recognized by Mayor DeFillipo.

ANNOUNCEMENTS – No Public Affairs announcements.

CITY COMMISSION REPORTS

Commissioner Fleurimond requested legal advisement from Interim City Attorney Ottinot regarding the governing of city commission meeting ran by the mayor and requested the Interim City Attorney to work with the ethics department to come up with the rules and the interpretation of Robert's Rules of Order.

Interim City Attorney Ottinot gave legal advisement regarding Commissioner Fleurimond's request and stated it is up to the discretion of the board to address certain conducts however will provide a draft rule of procedure as Commissioner Fleurimond instructed.

Commissioner Joseph requested legal advisement from Interim City Attorney Ottinot requesting to know who the parliamentarian is.

Interim City Attorney Ottinot stated the City Attorney is the parliamentarian however he will verify.

Commissioner Kramer announced Happy Sukkot and Happy Hispanic Heritage Month; the Multi-Cultural Committee and the City of North Miami Beach will be hosting the Hispanic Heritage Concert.

Commissioner Smukler announced she was just appointed to the League of Cities Advocacy board; Farm Share along with the City of North Miami Beach is hosting a drive thru food distribution on Thursday, October 14th at 9 am; Free mammogram service provided by the City of North Miami Beach will be hosted on October 23rd 8 am to 4 pm; Thank you to Miami-Dade County Mayor Daniella Levine Cava and condolences to her for the passing of her father; blessings to the people who celebrate Sukkot and Simchat Torah.

Commissioner Villard stated the elected official has the responsibility to not make allegations against private citizens and use the civility rule; thanked City Manager and staff for the National Peace Day event.

Vice Mayor Jean announced today is International Day of Peace; thoughts and prayers go out to families in Texas and all across the world; City Manager and her have been working on a project for the residents of Crestview Towers and requested the City Manager to roll the project out; invited everyone to all the events happening including Night at the Ballet in the Littman Theater featuring Miami Youth Ballet on September 26th.

Mayor DeFillipo stated in the Robert's Rules of Order on page 247, section 23 says when a member thinks that the rule of the assembly are being violated, he can make a point of order or raise a question of order. It is sometimes expressed thereby calling upon the chair for a ruling and enforcement of the regular rule, he is the chair.

CONSENT AGENDA

Special Commission Meeting Minutes of July 3, 2021 (Andrise Bernard, City Clerk)

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

Special Commission Meeting Minutes of August 17, 2021 (Andrise Bernard, City Clerk)

Regular Commission Meeting Minutes of August 17, 2021 (Andrise Bernard, City Clerk)

Special Commission Meeting Minutes of August 24, 2021 (Andrise Bernard, City Clerk)

Resolution R2021-90 Automated License Plater Reader (Richard Rand, Chief of Police)

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 MILLENIUM PRODUCTS, INCORPORATED FOR THE

PURCHASE AND INSTALLATION OF AUTOMATED LICENSE PLATE READERS IN AN ESTIMATED BUDGETED AMOUNT OF \$244,819.

Resolution R2021-91 Authorizing Request for Information (RFI) for Above Ground and Underground Transit System (Commissioner Michael Joseph)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ISSUE A REQUEST FOR INFORMATION ("RFI") ATTACHED HERETO IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A" SEEKING INFORMATION FROM FIRMS TO IDENTIFY TRANSPORTATION SOLUTIONS TO ALLEVIATE TRAFFIC CONGESTION ON STATE ROAD 826 EAST FROM N.W. 2nd AVENUE TO N.E. 35th AVENUE; PROVIDING THE CITY MANAGER AND CITY ATTORNEY WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2021-92 Approving Intergovernmental Agreement for Traffic Engineering Functions Between Miami-Dade County and the City of North Miami Beach (Mayor and Commission)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A" ATTACHED HERETO TO PERFORM TRAFFIC ENGINEERING FUNCTIONS TO PERMIT TRAFFIC CALMING DEVICES ON LOCAL STREETS; PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2021-103 Approving the North Miami Beach Community Redevelopment Agency's Fiscal year 2021-22 Budget (Mayor and Commission)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING THE NORTH MIAMI BEACH COMMUNITY REDEVELOPMENT AGENCY'S FISCAL YEAR 2021-22 BUDGET; AUTHORIZING THE CITY CLERK 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 COMMUNITY REDEVELOPMENT AGENCY'S FISCAL YEAR 2021-22 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve the consent agenda made by Commissioner Joseph, seconded by Commissioner Smukler
Voice Vote: MOTION PASSED 6-1 with Mayor DeFillipo opposed.

BUSINESS TAX RECEIPTS

Platinum South Inc. D/B/A Dean's Gold Extension of Hours of Operation 4:00 AM to 6:00 AM

Request to extend 4 a.m. to 6 a.m. alcohol sales license for Platinum South Inc. D/B/A Dean's Gold, located at 2355 NE 163 ST, North Miami Beach, FL. 33160.

City Manager Sorey III introduced this item to the Mayor and Commission.

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
2. Alan Rosenthal

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

City Manager Sorey III introduced Chief of Police Richard Rand to the Mayor and Commission and requested Chief Rand to present this item at which time Chief Rand presented the item.

The Mayor and Commission discussed business tax receipt regarding the request to extend 4 a.m. to 6 a.m. alcohol sales license for Platinum South Inc. D/B/A Dean's Gold, located at 2355 NE 163 ST, North Miami Beach, FL. 33160.

Motion to approve the request to extend 4 a.m. to 6 a.m. alcohol sales license for Platinum South Inc. D/B/A Dean's Gold, located at 2355 NE 163 ST, North Miami Beach, FL. 33160 made by Commissioner Kramer, seconded by Commissioner Smukler.

Roll Call Vote: Villard – Yes, Fleurimond – Yes, Joseph – Yes, Kramer - Yes, Smukler – Yes, Jean – Yes, DeFillipo - Yes.

MOTION PASSED 7-0.

G5ive LLC, D/B/A G5ive Extension of Hours of Operation 4:00 AM to 6:00 AM

Request to extend 4 a.m. to 6 a.m. alcohol sales license for G5ive LLC, D/B/A G5ive, located at 337 NW 170 Street, North Miami Beach, FL. 33169.

City Manager Sorey III introduced this item to the Mayor and Commission.

Attorney Noel Johnson representing G5ive LLC, D/B/A G5ive spoke regarding the extension of hours.

City Manager Sorey III introduced Chief of Police Richard Rand to the Mayor and Commission and requested Chief Rand to present this item at which time Chief Rand presented the item.

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

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

Motion to approve the request to extend 4 a.m. to 6 a.m. alcohol sales license for G5ive LLC, D/B/A G5ive, located at 337 NW 170 Street, North Miami Beach, FL. 33169.made by Commissioner Smukler, seconded by Commissioner Kramer.

Roll Call Vote: Fleurimond – Yes, Joseph - Yes, Kramer - Yes, Smukler -Yes, Villard - Yes, Jean – Yes, DeFillipo - Yes

MOTION PASSED 7-0.

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 FOR AN EFFECTIVE DATE.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-02 into the record.

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**.

The Mayor and Commission discussed Ordinance No. R2021-02 relating to employee running for political office.

Motion to approve Ordinance No. R2021-02 relating to employee running for political office made by Commissioner Joseph, seconded by Commissioner Villard.

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

MOTION PASSED 6-1 with Mayor DeFillipo opposed.

Ordinance No. 2021-03 (Second and Final 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.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-03 into the record.

City Manager Sorey III introduced Ordinance No. R2021-03 regarding local hiring requirements.

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**.

Motion to approve Ordinance No. R2021-02 chapter III purchasing ordinance amendment local business preference and local hiring requirements made by Vice Mayor Jean, seconded by Commissioner Joseph.

Roll Call Vote: Kramer – Yes, Smukler – Yes, Villard – Yes, Fleurimond – Yes, Joseph – Yes, Jean – Yes, DeFillipo – Yes.

MOTION PASSED 7-0.

Ordinance No. 2021-04 (Second and Final 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.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-04 into the record.

City Manager Sorey III introduced Ordinance No. R2021-04 and requested Director of Community Development, Kent Walia to give a brief overview of the ordinance.

Director of Community Development, Kent Walia gave an overview of the Ordinance No. R2021-04.

The Mayor and Commission discussed Ordinance R2021-04 and Mayor DeFillipo requested the title amended.

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. Robert Urra
2. Marteen Longo
3. Margie Love
4. David Templer
5. Diane Frazer
6. Ron Rodriguez
7. Leslie Sardinia
8. Brian Sharpe
9. Andres Klein
10. Manny Revis
11. James Tamatis
12. Bruce Lamberto
13. Clara Piana
14. Daniel Baculers

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

The Mayor and Commission discussed Ordinance R2021-04 regarding prohibiting the docking of commercial boats/watercrafts in residential districts.

Motion to approve Ordinance No. R2021-02 prohibiting the docking of commercial boats/watercrafts in residential districts made by Commissioner Smukler, seconded by Mayor DeFillipo.

Roll Call Vote: Smukler – **Yes**, Villard – **Yes**, Fleurimond – **Yes**, Joseph – **Yes**, Kramer – **Yes**, Jean – **Yes**, DeFillipo – **Yes**.

MOTION PASSED 7-0.

Ordinance No. 2021-05 (Second and Final 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.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-05 into the record.

Commissioner Joseph spoke on Ordinance No. R2021-05 regarding the living wage ordinance.

City Manager Sorey III introduced Ordinance No. R2021-05 and stated this ordinance does not apply to seasonal employees.

City Manager Sorey III introduced Human Resource Director Francisco Rios to explain the compression of the living wage ordinance.

Human Resource Director Francisco Rios explained the compression of the living wage ordinance.

City Manager Sorey III will be removing section C of the ordinance, index section regarding cost-of-living increases.

The Mayor and Commission discussed Ordinance R2021-05 regarding the living wage ordinance.

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. Nucleus Shelton
2. Janice Coakley
3. Mubarak Kazan

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

The Mayor and Commission discussed Ordinance R2021-05 regarding the living wage ordinance.

Motion to approve Ordinance No. R2021-05 regarding the living wage ordinance with the amendment to remove the indexing made by Commissioner Joseph, seconded by Commissioner Fleurimond.

Roll Call Vote: Villard – Yes, Fleurimond – Yes, Joseph – Yes, Kramer – Yes, Smukler – Yes, Jean – Yes, DeFillipo – Yes.

MOTION PASSED: 7-0.

Commissioner Smukler asked to set aside \$200,000 to create a gym for city employees.

Motion to approve the City Manager to set aside \$200,000 to create a gym for city employees and provide logistics made by Commissioner Smukler, seconded by Commissioner Joseph.

Voice Vote: MOTION PASSED 7-0

Ordinance No. 2021-06 (Second and Final 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.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-06 into the record.

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
2. Tricia Harris
3. Margie Love

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

The Mayor and Commission discussed Ordinance R2021-06 regarding storm shutter regulations.

Director of Community Development Kent Walia gave a detailed explanation on Ordinance R2021-06 regarding storm shutter regulations.

Motion to approve Ordinance No. R2021-06 with regards to storm shutter regulations made by Commissioner Joseph, seconded by Commissioner Fleurimond.

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

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

Motion to approve extending commission meeting pass midnight to 1 A.M. made by Commissioner Fleurimond, seconded by Vice Mayor Jean.

Voice Vote: MOTION PASSED 4-3 with Mayor DeFillipo, Commissioner Kramer, Commissioner Smukler opposed.

Ordinance No. 2021-07 (Second and Final Reading) Recertification of Engineering Reports

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH AMENDING CHAPTER XIV, "BUILDING AND HOUSING" OF THE CODE OF ORDINANCES, BY CREATING A NEW SECTION 14-1.30 "DELIVERY OF ENGINEERING REPORTS" TO ENHANCE REQUIREMENTS RELATED TO RECERTIFICATION OF BUILDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim City Attorney Ottinot read the title of Ordinance No. R2021-07 into the record and gave a brief explanation on the ordinance.

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:

No public comment.

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

The Mayor and Commission discussed Ordinance R2021-07 regarding the recertification of engineering reports.

Motion to approve Ordinance R2021-07 regarding recertification of engineering reports made by Commissioner Smukler, seconded by Mayor DeFillipo.

Roll Call Vote: Joseph - Yes, Kramer – Yes, Smukler - Yes, Villard - Yes, Fleurimond - Yes, Jean - Yes, DeFillipo – Yes.

MOTION PASSED: 7-0

APPOINTMENTS

Appointing Evans St. Fort to the Commission on Aging and Senior Citizens Advisory Board (Andrise Bernard, City Clerk)

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. Margie Love

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

The Mayor and Commission discussed the appoint of Evans St. Fort to the Commission on Aging and Senior Citizens Advisory Board.

Motion to approve the appoint of Evans St. Fort to the Commission on Aging and Senior Citizens Advisory Board. made by Commissioner Villard, seconded by Commissioner Joseph.

Voice Vote: MOTION PASSED 4-3 with Mayor DeFillipo, Commissioner Kramer and Commissioner Smukler opposed.

Appointing Rachelle Michel to the Commission on the Status of Women (Andrise Bernard, City Clerk)

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

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

The Mayor and Commission discussed the appoint of Rachelle Michel to the Commission on the Status of Women.

Motion to approve the appoint of Rachelle Michel to the Commission on the Status of Women. made by Commissioner Fleurimond, seconded by Mayor DeFillipo.

Voice Vote: MOTION PASSED 7-0

Appointing A. Silver to the Commission on the Status of Women (Andrise Bernard, City Clerk)

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:

No public comment

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

The Mayor and Commission discussed the appoint of A. Silver to the Commission on the Status of Women.

Motion to approve the appoint of A. Silver to the Commission on the Status of Women made by Commissioner Smukler, seconded by Mayor DeFillipo.

Voice Vote: MOTION PASSED 7-0

Motion to approve combining all remaining appointments to one vote made by Commissioner Smukler, seconded by Commissioner Fleurimond.

Voice Vote: MOTION PASSED 7-0

Appointing Belkis Pimentel to the Commission on the Status of Women (Andrise Bernard, City Clerk)

Appointing Marcela Invernizzi as an Ex Officio Member to the Commission on the Status of Women (Andrise Bernard, City Clerk)

Appointing Donard St. Jean to the Economic Development Commission (Andrise Bernard, City Clerk)

Appointing Denisse Berrios to the Public Utilities Commission (Andrise Bernard, City Clerk)

Motion to approve allowing the appointment of Johnathan Cyprien to the Redevelopment Advisory Board and Hans Mardy to the Redevelopment Advisory Board and the Senior Citizens Advisory Committee to be added with the combined appointments made by Commissioner Joseph, seconded by Vice Mayor Jean.

Voice Vote: MOTION PASSED 6-1 with Mayor DeFillip opposed.

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

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

The Mayor and Commission discussed the appoint of 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, appointing Denisse Berrios to the Public Utilities Commission, appointing Johnathan Cyprien to the Redevelopment Advisory Board and Hans Mardy to the Redevelopment Advisory Board and the Senior Citizens Advisory Committee.

Motion to approve the appoint of 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, appointing Denisse Berrios to the Public Utilities Commission, appointing Johnathan Cyprien to the Redevelopment Advisory Board and Hans Mardy to the Redevelopment Advisory Board and the Senior Citizens Advisory Committee made by Commissioner Joseph, seconded by Commissioner Fleurimond.

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

Miscellaneous Items – No items were discussed.

DISCUSSION ITEMS

Discussion on City Clerk's Contract Renewal

City Clerk Bernard started the discussion regarding the renewal of the City Clerk's employment contract and she thanked the commission for allowing her to serve as the city of North Miami Beach City Clerk.

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

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

The Mayor and Commission discussed the renewal of the City Clerk's employment contract.

Motion to approve City Clerk's employment contract with retro pay from June made by Commissioner Fleurimond, seconded by Commissioner Kramer.

Voice Vote: MOTION PASSED 7-0

QUASI-JUDICIAL LEGISLATION -

Resolution R2021-93 Canal Park West Site Plan Request (Kent Walia, Director of Community Development)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL FOR THE DEVELOPMENT OF A TEN STORY TOWER, CONSISTING OF 237,483 SQUARE FEET OF OFFICE SPACE, ON PROPERTY LOCATED AT 3227 N.E. 163rd STREET, NORTH MIAMI BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A;" PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AN LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Interim City Attorney Hans Ottinot read the title of Resolution No. R2021-93

City Clerk Bernard explained the Jennings Disclosure requirement of naming the individuals with whom the item was discussed and the subject matter of any communication regarding the item.

Commissioner Smukler disclosed the individual names to whom she spoke on the Jennings Form and confirmed that she can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Commissioner Kramer disclosed the individual names to whom she spoke on the Jennings Form and confirmed that she can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Commissioner Kramer stated she would like to amend her Jennings form previous submitted and disclosed the individual names to whom he spoke and confirmed that he can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Commissioner Villard disclosed the individual names to whom she spoke on the Jennings Form and confirmed that she can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Mayor Anthony F. DeFillipo disclosed the individual names to whom he spoke on the Jennings Form and confirmed that he can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Vice Mayor Jean disclosed the individual names to whom she spoke on the Jennings Form and confirmed that she can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Commissioner Fleurimond disclosed the individual names to whom he spoke and confirmed that he can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

Commissioner Joseph disclosed the individual names to whom he spoke and confirmed that he can make a decision regarding this item based on the substantial competent evidence presented at this meeting.

City Clerk Bernard asked anyone who will be speaking and providing testimony on this item to raise their right hand to be sworn in. Director of Community Development Kent Walia, Joseph Geller representing the applicant and Jean-Francois Gervais, the architect of the project were sworn in.

City Manager Sorey III introduced Kent Walia, Director of Community Development who provided a brief explanation of the Canal Park West site plan request to the Mayor and Commissioners.

Joseph Geller presented Canal Park West site plan.

Jean-Francois Gervais presented architectural plan for Canal Park West.

Motion to approve Resolution No. R2021-93 will be the last item on the agenda made by Commissioner Kramer, seconded by Mayor DeFillipo.

Voice Vote: MOTION FAILED 2-5 with Commissioner Fleurimond, Commissioner Joseph, Commissioner Smukler, Commissioner Villard and Vice Mayor Jean opposed.

Motion to approve to continue pass Resolution No. R2021-93 and complete the agenda made by Mayor DeFillipo.

Voice Vote: MOTION PASSED 6-1 with Mayor DeFillipo opposed.

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

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

1. Nury Rodriguez
2. David Templer
3. Diane Frazer
4. Leslie Sardinia
5. Pianas
6. Robert Urra
7. David Salaues
8. Manny Rivas
9. Enrique Fuhrman

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

Joseph Geller spoke regarding public comments on Resolution No. R2021-93 regarding Canal Park West site plan.

The Mayor and Commission discussed Resolution No. R2021-93 regarding Canal Park West site plan.

Motion to approve Resolution No. R2021-93 without a boat dock with a revised plan with respect to the privacy wall that is subject to approval of the Director of Community Development who will meet with each commissioner individually for their approval as well as allow residents to review such plan with additional request with respect to the garage made by Commissioner Fleurimond, seconded by Commissioner Joseph.

Roll Call Vote: Kramer - **Yes**, Smukler - **Yes**, Villlard - **Yes**, Fleurimond - **Yes**, Joesph - **Yes**, Jean – **Yes**, DeFillipo – **Yes**.

MOTION PASSED: 7-0

Motion to adjourn made by Commissioner Kramer, seconded by Mayor DeFillipo.

Voice Vote: Motion Passed 7-0

ADJOURNMENT

There being no further business to come before the City Commission, the meeting was adjourned at 1:57 am.

The following items were on the agenda however were not heard:

Resolution R2021-94 Cookies MMD Conditional Use Request (Kent Walia, Director of Community Development)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE APPROVAL IN ACCORDANCE WITH SECTION 24-175 OF THE NORTH MIAMI BEACH ZONING AND LAND DEVELOPMENT CODE FOR THE OPERATION OF A 3,878 SQUARE FOOT MEDICAL MARIJUANA DISPENSARY, AS PROPOSED ON PROPERTY ZONED B-2 GENERAL BUSINESS DISTRICT, LOCATED AT 17150 BISCAYNE BOULEVARD, NORTH MIAMI BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR FINDINGS OF FACT; CONFIRMING EXPIRATION AND LIMITATION OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

LEGISLATION

Resolution R2021-95 Body Worn Camera Program (Richard Rand, Chief of Police)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 AXON ENTERPRISE, INC. TO PURCHASE BODY WORN CAMERAS, TASERS AND RELATED EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$1,082,727.77; PROVIDING THE CITY MANAGER AND CITY ATTORNEY WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2021-96 American Rescue Plan Act (ARPA) (Arthur H. Sorey, City Manager)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ACCEPTING THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); APPROVING THE ALLOCATION OF AMERICAN RESCUE PLAN REVENUES IN THE AMOUNT OF TWENTY-ONE MILLION, FIVE-HUNDRED AND FIFTY-SEVEN THOUSAND, TWO HUNDRED AND FORTY-TWO DOLLARS (\$21,557,242.00) TOWARD CITY GRANT PROGRAMS AND REVENUE LOSSES; AUTHORIZING THE CITY MANAGER TO MAKE ADDITIONAL ALLOCATIONS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER TO ESTABLISH PROGRAMS AND GUIDELINES, AS NEEDED, TO ENSURE THE TIMELY DISBURSEMENT OF GRANT FUNDS; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Resolution R2021-97 Authorizing the City Manager to Organize a Temporary Protected Status (TPS) Registration Drive with the Haitian Lawyers Association and Other Organizers (Commissioner Paule Villard and Commissioner Michael Joseph)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ORGANIZE A TEMPORARY PROTECTED STATUS (TPS) REGISTRATION DRIVE WITH THE HAITIAN LAWYERS ASSOCIATION

(HLA) AND OTHER COMMUNITY ORGANIZATIONS NO LATER THAN NOVEMBER 15, 2021 RELATING TO THE RECENT EXTENSION OF TPS FOR HAITIAN NATIONALS IN THE UNITED STATES; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSEARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Resolution R2021-98 Authorizing the City Manager to Appropriate Funds for the "WE CARE PROGRAM" for Fiscal Year 2021-22 (Commissioner Fortuna Smukler and Commissioner Michael Joseph)

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER OR DESIGNEE TO APPROPRIATE CERTAIN FUNDS TO THE "WE CARE PROGRAM" DURING THE FISCAL YEAR 2021-22 TO ASSIST IN THE PAYMENT OF WATER BILLS FOR RESIDENTS WHO ARE EXPERIENCING FINANCIAL DISTRESS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSEARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

DISCUSSION ITEMS – Rolled over to next meeting

Multicultural Festival (Cultural Fest on N.E. 19th Avenue)

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

Implementing a Transportation Loop Within the Boundaries of the City of North Miami Beach

President Biden's Vaccine Mandate for Employers with more than 100 Employees

CITY MANAGER'S REPORT

Sister Cities International

ATTEST:

(SEAL)



Andrise Bernard, CMC, City Clerk



**EXHIBIT F
CITY OF NORTH MIAMI BEACH
PERSONNEL TRANSACTION FORM**

NAME: Victoria Germain

EMPLOYEE ID #: 102039 **POS. #:**

(A) INITIAL APPOINTMENT – TYPE OF HIRE				EFFECTIVE DATE	
New Hire <input type="checkbox"/>	Rehire <input type="checkbox"/>	Recall <input type="checkbox"/>	Full-Time <input type="checkbox"/>	Part-time: <input type="checkbox"/> Regular <input type="checkbox"/> Seasonal <input type="checkbox"/> Temp. <input type="checkbox"/>	
Job Title/#:		Pos. #	Fund #	Div. #	Rate of Pay \$
PENSION (to be completed by HR)		General <input type="checkbox"/>	Police <input type="checkbox"/>	Management <input type="checkbox"/>	Effective Date:

(B) SEPARATION/RETIREMENT/STAFFING TABLE				EFFECTIVE DATE	
Resignation <input type="checkbox"/>	Termination: Probationary <input type="checkbox"/> Disciplinary <input type="checkbox"/>	Lay-off: Permanent <input type="checkbox"/> Temp. <input type="checkbox"/>		Deceased <input type="checkbox"/>	
Separation w/vested rights: Yes <input type="checkbox"/> No <input type="checkbox"/>		Eligible for Rehire: Yes <input type="checkbox"/> No <input type="checkbox"/>			
RETIREMENT:	Normal <input type="checkbox"/>	D.R.O.P <input type="checkbox"/>	Disability <input type="checkbox"/>	Service Connected: Yes <input type="checkbox"/> No <input type="checkbox"/>	
STAFFING TABLE:	Retain Vacancy Yes <input type="checkbox"/> No <input type="checkbox"/>	FILL VACANCY: Yes <input type="checkbox"/> (Employment Requisition Required) No <input type="checkbox"/>			

(C) PAYOUTS (TO BE COMPLETED BY HR)					
Annual Hours:	Amount \$	Comp. Hours:	Amount \$		
Sick Hours:	Amount \$	Longevity Hours:	Amount \$		
Amount of Tuition Reimbursement to Recover \$			Total Payout \$		

(D) EMPLOYMENT STATUS				EFFECTIVE DATE	
Promotion Increase %	<input type="checkbox"/> Demotion Decrease %	<input type="checkbox"/> Merit Increase or Maxed Out %		10/01/2021	
<input type="checkbox"/> Reclass of Position	<input type="checkbox"/> Allocation of Position	<input checked="" type="checkbox"/> Lateral Position Transfer (CSB) Approval		<input type="checkbox"/> Dept./Division Transfer	
<input type="checkbox"/> P-T Regular/Seasonal to F-T	<input type="checkbox"/> F-T to P-T Regular/Seasonal	<input type="checkbox"/> P-T Seasonal to P-T Regular	<input type="checkbox"/> P-T Regular To P-Seasonal		
Current Job Title/#: Intern	Pos. #	Fund # D10	Div. # 500	Rate of Pay \$ 13.00	
New Job Title/#: Intern	Pos. #	Fund # 410	Div. # 900	Rate of Pay \$ 13.00	

(E) PREMIUMS				EFFECTIVE DATE			
SLDF	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Cell Phone (attach form)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Auto Allow.	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Executive Allow	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
CTO	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Detective	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
FTO	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Honor Guard	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Hostage	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	K-9	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Motor Unit	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	STR	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Auto Allow	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Take Home Car (attach form)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Traffic Hom	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	PICR (attach memo)	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$		
Shift Diff	Add <input type="checkbox"/> Remove <input type="checkbox"/>	Amount \$	Shift Change From:	Hours	To:	Hours	

(F) COMMENTS	Intern for NMB Water
no budget found in 410900-130. Dept was advised to transfer funds	
Retro \$ 82.00	

(G) APPROVALS (SIGNATURE)			
1) Department Director	<i>A. Snicez Abastida</i>	Date:	10/18/2021
2) Finance Director	<i>[Signature]</i>	Date:	10/28/2021
3) Human Resources Director	<i>[Signature]</i> , For FR	Date:	10/25/21
4) Deputy /Assistant City Manager	<i>[Signature]</i>	Date:	
5) City Manager/Designee	<i>[Signature]</i>	Date:	11/4/21

EXHIBIT G

RESOLUTION NO. R2022-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXPAND THE CITY'S TUITION REIMBURSEMENT PROGRAM TO INCLUDE PART-TIME EMPLOYEES; PROVIDING THE CITY MANAGER AND CITY ATTORNEY WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Mayor and City Commission share a commitment to providing continuing education to employees of the City; and

WHEREAS, the City currently provides tuition reimbursement for full-time regular employees of the City; however, the City does not provide tuition reimbursement for regular part-time employees; and

WHEREAS, the tuition reimbursement has played a major role in recruiting and retaining employees by enhancing the skills of employees for promotional purposes; and

WHEREAS, part-time employees have played a critical role in providing critical services to the City over the years especially during this pandemic; and

WHEREAS, numerous full-time employees of the City were once part-time employees until they were given an opportunity to work full-time; and

WHEREAS, the Mayor and City Commission find that tuition reimbursement for part-time employees is in the best interest of the City and its part-time employees and direct the City Manager to expand the City's reimbursement program to include regular part-time employees.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, AS FOLLOWS:

Section 1. The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. The Mayor and City Commission hereby authorize the City Manager or Designee to expand the City's tuition reimbursement program to include regular part-time employees.

Section 3. The City Manager and the City Attorney are hereby authorized to do all things necessary to effectuate this resolution.

Section 4. This resolution shall become effective immediately upon approval.

APPROVED AND ADOPTED by the Mayor and City Commission of the City of North Miami Beach at the regular meeting assembled this 18th day of January, 2022.

ATTEST:

ANDRISE BERNARD
CITY CLERK

(CITY SEAL)

ANTHONY D. DEFILLIPO
MAYOR

APPROVED AS TO FORM &
LANGUAGE & FOR EXECUTION

HANS OTTINOT
CITY ATTORNEY

Sponsored: Commissioner McKenzie Fleurimond