

### New NMB City Commission shuts down the new mayor



The North Miami Beach City Commission launched its new term by tapping the brakes on chaos.

Newly elected North Miami Beach Mayor Anthony DeFillipo plunged into the December 18 meeting of the new city commission with a plan to terminate city attorney Sarah L. Johnston, a five-year employee, one month into her one-year contract.

He failed. One by one, the other six members, three new and trying to get their bearings an hour into their first full meeting, would not give him their vote. No members of the public in the packed chambers spoke up for DeFillipo.

“You need to at least honor the contract,” said resident Sandra Douglas, particularly in the wake of “the ugliest, dirty campaign I have ever seen.”

Johnston and city manager Esmond Scott, a 19-year employee, each received year-long contracts from the commission October 29, one week before the November 6 election in which 16 candidates vied for six of seven at-large seats. DeFillipo was said to have Scott in his sights, but told the *BT* the day after the meeting that he has no plans to make any moves against him. DeFillipo contends that Johnston’s and Scott’s promotions from interim to full time amounted to an 11th-hour move by a lame-duck commission under ex-Mayor Beth Spiegel right before an election. Choosing a city attorney, he says, should be the prerogative of a new city commission

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rather than an old one.

Once the public finished their comments, nine-year commission veteran Barbara Kramer led the charge against DeFillipo from the dais.

“This is not how we keep our city out of the headlines,” Kramer said. “While we should be demonstrating stability and leadership to those who are watching, we are instead showing turmoil and uncertainty.”

Calling the item “very reckless” and “foolish” even to raise, she concluded, to applause: “The idea that one person on this commission would choose someone to fill one of these offices without any process is offensive and a textbook example of what a poorly run government looks like.”

Joining Kramer in opposing DeFillipo, a five-year commission veteran, from the start were 13-year veteran Phyllis Smith, and Fortuna Smukler, appointed last summer before being elected outright in November. The three commission newcomers -- retired police sergeant Paul Villard, insurance agency owner McKenzie Fleurimond, and attorney Michael Joseph, the new vice mayor -- came around to holding off action.

In an interview with the *BT* the day after the meeting, DeFillipo indicated he may revisit the issue.

“I think that everybody is making sure they are keeping an eye on this department,” he said.

Waiting in the wings was José I. Smith, attorney for City of North Miami Beach from 2014 until the commission sacked him, along with city manager Ana Garcia, this past July. Smith had previously been a Miami Beach city commissioner for eight years and the city’s attorney for nine.

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The City of North Miami has since hired Smith as a special magistrate, and he has joined the law firm Bryant Miller in its litigation and local government practice groups. Smith (and Garcia) contributed to the campaign of DeFillipo, who ran with a slate of three other candidates, all of whom lost.

As the *Miami Herald* reported December 13, Smith has leveraged his contacts to angle for city attorney positions in Bal Harbour and North Bay Village, where city attorney Norman Powell has filed an ethics complaint against him. Smith is also trying to get his old NMB job back, with help from ally DeFillipo.

Smith has yet to succeed, but Powell's own position is precarious, as the commission December 11 placed him on three months' probation, before word got out about Powell's failure to disclose to commissioners his arrest at Miami International Airport on charges of concealing a weapon in his carry-on luggage.

The North Miami Beach meeting capped the city's most turbulent year. (See "[City in Chaos](#)," August 2018.) Ex-Mayor George Vallejo resigned in April, after pleading guilty to two misdemeanor campaign finance violation charges. Commissioner Marlen Martell then quit after she was hired as North Bay Village city manager, only to be sacked after 105 days on the job.

Not long after Garcia and Smith were forced out, over objections of many residents and employees, Commissioner Frantz Pierre lost his seat July 26, after being arrested for bribery and money laundering.

All this left the commission without a quorum at times, and set the stage for an ugly campaign that gripped the city.

With 56 percent voter turnout November 6, Commissioner DeFillipo won the mayor's seat with 54 percent; veteran commissioner Barbara Kramer received 68 percent; freshman commissioner (and now vice mayor) attorney Michael Joseph 62 percent; and longtime community volunteer and crime-watch leader Fortuna Smukler got 54 percent.

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Two other newcomers won election in the November 20 runoff, with just a 12 percent turnout: Vallard and Fleurimond each won with about 63 percent. Only term-limited Phyllis Smith, a real estate agent, was not up for election.

The new commission is occupationally and geographically unusually diverse for North Miami Beach, with four of the seven members living west of Biscayne Boulevard.

For 2019, the new commission faces union negotiations and the overwhelming infrastructure issues common to any 92-year-old South Florida city with deteriorating water and sewer pipes.

Massive developments are coming online. The eight-story, 349-unit Lazul Apartment development is taking tenants at 2156 NE 164th St. The Harbour, a 425-unit condominium project at 16385 Biscayne Blvd., is opening for occupancy. Plans for the massive New North Town Center, a 2.5 million-square-foot mini city, are proceeding on a former brownfield site at 15530 W. Dixie Hwy.

Also in the wings: 5 Park, a 19-story, twin-tower apartment building and seven-story office building designed by Kobi Karp on the east side of W. Dixie Highway just north of the Spanish Monastery and Judge Arthur I. Snyder Tennis Center.

On ice, pending new investment: the much-publicized 1 million-square-foot Uptown Biscayne project by the CK Privé Group at the current site of Dean's Gold strip club. A mile or so to the east, the Dezer Development Group has yet to act on long-term plans for the Intracoastal Mall at 3881 NE 163rd St., with 2000 units, 2.5 million square feet of commercial space, and buildings up to 40 stories tall on the western banks of the Intracoastal Waterway.

More immediately, the Costco on Biscayne Boulevard and NE 146th Street in North Miami Beach will close on February 6 and move to its new location just south of NE 151st Street as part of the massive SoLeMia development, which is located entirely within the City of North Miami.

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