



AGENDA

NORTH MIAMI CITY COUNCIL

REGULAR COUNCIL MEETING

**TUESDAY, JANUARY 14, 2020
7:00 P.M.**

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TAB K

DISCUSSION REGARDING TERMINATION OF THE CITY MANAGER.



THE GOSZ PROFESSIONAL LIMITED COMPANY

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December 31, 2019

SENT VIA EMAIL:

HONORABLE PHILIPPE BIEN-AIME (PBIEN-AIME@NORTHMIAMIFL.GOV)

COUNCILMAN SCOTT GALVIN (SCOTT@SCOTT-GALVIN.COM)

COUNCILMAN ALIX DESULME (ADESULME@NORTHMIAMIFL.GOV)

COUNCILWOMAN CAROL KEYS (CKEYS@NORTHMIAMIFL.GOV)

COUNCILWOMAN MARY ESTIMÉ-IRVIN (MESTIME-IRVIN@NORTHMIAMIFL.GOV)

Mayor and City Council

City of North Miami

776 NE 125 St.

North Miami, FL 33161

Re: Larry M. Spring, Jr., City Manager

Dear Mr. Mayor and City Councilmembers:

Please be advised that the undersigned attorney represents Larry M. Spring, Jr. in reference to his employment with the City of North Miami. Mr. Spring has informed me that the City Council is prepared to terminate him to allow a new City Manager to be appointed. Mr. Spring understands the decision and has no desire to impede the City Council's ability to have the City Manager of its choosing. While Mr. Spring remains confident that the parting of ways will be done in conformity with both the Charter of the City of North Miami ("City Charter") and the October 1, 2017 Employment Agreement between the City of North Miami and Larry M. Spring, Jr. ("Employment Agreement"), he has requested that I send this correspondence to ensure that everyone is on the same page and that the process moves forward smoothly.

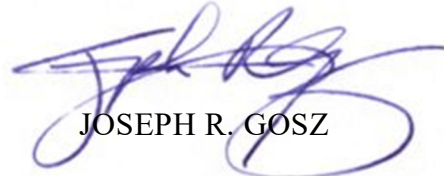
Pursuant to both the City Charter and the Employment Agreement, Mr. Spring is entitled to 30 days of notice prior to the effective date of his removal by a preliminary resolution of the City Council. Mr. Spring also has the right to request a public hearing after the adoption of the preliminary resolution by the City Council. Finally, the City Charter in Section 18 provides that "[b]y the preliminary resolution the council may suspend the manager from duty, but shall in any case cause to be paid him forthwith any unpaid balance of his salary and his salary for the next three (3) calendar months following the adoption of the preliminary resolution." Mr. Spring will agree to streamline the process by waiving his right to a hearing

if the resolution states that the termination is without cause, and the City Council agrees in advance to certain terms, including that he will be paid the three (3) calendar months of salary to which Section 18 of the City Charter refers. Separate from the foregoing, as the City Council is no doubt aware, the Employment Agreement entitles Mr. Spring to twenty (20) weeks of his current salary as severance. Mr. Spring has certain other requests for his severance package that are included on the Terms of Severance sent herewith.

In addition to the Terms of Severance, also sent herewith is a list of accomplishments of the city's administration while Mr. Spring has served as City Manager. Obviously, Mr. Spring played a vital role in each and every accomplishment listed on the document, and I trust that each of you is more aware of that fact than I am. We ask that you keep in mind those accomplishments and Mr. Spring's overall record of service to the City of North Miami in considering his requested Terms of Severance. Should the City agree with the terms that Mr. Spring is proposing on the Terms of Severance, then this matter can be moved forward and concluded expeditiously and to everyone's satisfaction.

I look forward to the City of North Miami's prompt response so that both the City and Mr. Spring can move on to whatever may be next. Should you have any questions or concerns regarding the foregoing or the enclosures sent herewith, please do not hesitate to contact me.

Very truly yours,



JOSEPH R. GOSZ

JRG/na

Enclosures

CC (via email): Jeff P. H. Cazeau, City Attorney (jcazeau@northmiamifl.gov)

Terms of Severance

City of North Miami (“City”) and Larry M. Spring, Jr., City Manager

1. The City shall pay Mr. Spring 12 weeks of his current salary from the date of any preliminary resolution adopted pursuant to Section 18 of the Charter of the City of North Miami (“City Charter”)
2. The City shall pay Mr. Spring 20 weeks of salary as severance pay pursuant to section 5 of the Employment Agreement Between the City of North Miami and Larry M. Spring, Jr. (“Employment Agreement”)
3. The City shall pay Mr. Spring the cash value of all unused accrued annual leave and unused accrued sick leave pursuant to Section 12 of Employment Agreement.
4. Mr. Spring will have the ability to remain on the City of North Miami’s health, dental, life, and disability insurance plans until December 31, 2020, and will pay premiums equal to the single employee contribution rate for all such insurance.
5. The City of North Miami will surplus to Mr. Spring at no cost to him the SUV assigned to the City Manager’s Office.
6. The City of North Miami will surplus to Mr. Spring at no cost to him the Apple iPad and peripherals that Mr. Spring has used in furtherance of his duties as City Manager.



CITY OF NORTH MIAMI ADMINISTRATION'S ACCOMPLISHMENTS

Larry M. Spring, Jr., CPA CITY MANAGER

MARCH 2016 – PRESENT



Professional Development (FEBRUARY, 2016)

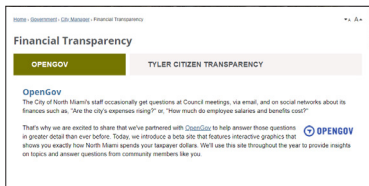
City staff completed customer service and protocol training to enhance the quality of service provided to North Miami residents. Training opportunities were made available through the Personnel Department and Risk Management. Additionally, leadership training was facilitated by Barry University.



OpenGov (MARCH, 2016)

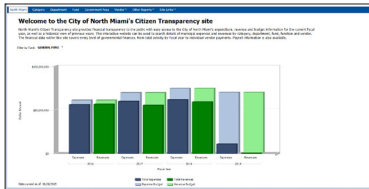
The City launched OpenGov, which is a user-friendly cloud-based solution that transforms how municipal government budgets are presented and encourages community engagement. The objective is to increase public awareness and transparency.

NorthMiamiFL.gov



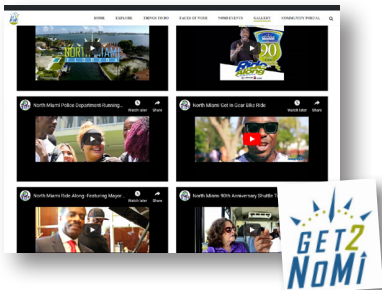
Financial Transparency Portal (MAY, 2016)

North Miami's Citizen Transparency site provides financial transparency to the public with easy access to the city of North Miami's expenditure, revenue and budget information for the current fiscal year, as well as a historical view of previous years. This interactive website can be used to search details of municipal expenses and revenues by category, department, fund, function, and vendor. The financial data within this site covers every level of governmental finances, from total activity by fiscal year to individual vendor payments. Payroll information is also available.



Get 2 NoMi Campaign (MAY, 2016)

The "Get 2 NoMi" campaign created credible word of mouth, media blitz and over 20,000 people were reached during the campaign by incorporating public relations, marketing, and the tactic of influencer marketing using *Papa Keith of 103.5*, *The Beat* as a NoMi Brand Ambassador to countdown to the City's 90th anniversary celebration in June.





Contract Compliance Management (MAY, 2016)

City Administration started a process of automation for all City contracts through Laserfiche. As the world's leading software for content management and business process automation, staff was able to use this software to place 98% of the City's contracts in an online repository. This process allowed staff to monitor contract expiration dates, renewal options and requirements, as well as rate vendor performance. The most recent addition is the records retention management module.



Emergency Management Division (JUNE, 2016)

The Division of Emergency Management (DEM) was created to protect the North Miami community by coordinating and integrating all activities necessary to build, sustain and improve responses to various emergencies. A major accomplishment of this small team was successfully implementing the City's National Incident Management System (NIMS) training course requirement. As a result, approximately 250 City employees received this crucial emergency management training certificate.



Community Council (JULY, 2016)

As a result of the police involved shooting that led to national attention, the City Manager established a Community Council. The purpose of the Community Council is to serve as a portal of information between the City and the community, in order to enhance police community relations and policies.



Boat Docks (SEPTEMBER, 2016)

The issue of two property owners and their concerns with their boat docks was resolved after lingering since 2015 when "Help Me Howard" reported on the issue.



Building Department (Insourcing) (SEPTEMBER, 2016)

For many years, the City's Building Department was outsourced to a company specializing in building permits and inspections, C.A.P. Government. City Administration was able to save the City a total of \$1,090,000 due to insourcing of these services. Inspections in all categories are now performed on a daily basis. In the past, some categories were only inspected twice a week.



Social Services (OCTOBER, 2016)

Social Services, a new division of the Community Planning and Development Department, was created to provide support and responsive referral services to clients focused on health and wellness, legal services, housing and governmental engagement. This division consists of a Housing and Social Services Manager, a Senior Social Services Coordinator, a Social Services Coordinator and two Social Service Aides.



North Miami Community Redevelopment Agency (CRA) Extension (DECEMBER, 2016)

The Miami-Dade County Commission approved the extension of the life of the North Miami Community Redevelopment Agency.



Utility Billing (2017)

City Administration focused on the reorganization and rightsizing of the Utility Billing Division workforce. For the first time in six years, billing was on time for utility services.



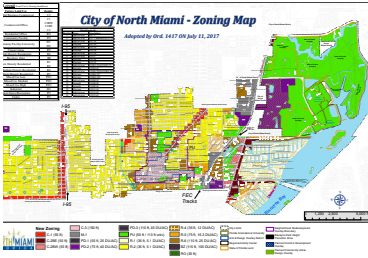
Spotmaster (JANUARY, 2017)

Spotmaster was an industrial dry cleaning plant located in a commercial district, resulting in numerous complaints from the community for several years. The Administration successfully negotiated the relocation of Spotmaster with minimum litigation cost.



Best Tasting Water on Tap (APRIL, 2017)

In North Miami, we continue to provide drinking water that meets and exceeds all local, state and federal requirements. Our efforts have paid off as the city of North Miami has taken first place in the *Florida Section of the American Water Works Association (FSAWWA) Region VII, Best Tasting Drinking Water Contest* in 2018. This is the second consecutive win for the city of North Miami and fifth win since 2009. In 2017, for the first time in history, North Miami took home the trophy for the *Best Tasting Tap Water* in the state of Florida and advanced to the national competition ranking in the top 7.



Comprehensive Plan (JULY, 2017)

The City adopted the 2017 Land Development Regulations (LDRs) and Zoning Map. Some of the updates to the LDRs and Zoning Map established future development guidelines; eliminate inconsistent standards and excessive regulatory barriers that may hinder economic development; revise and establish new permitting processes; generalize the list of permitted and conditional uses; and enhance neighborhood preservation in light of high-intensity and mixed-use development.



MOCA Reaccreditation (JULY, 2017)

MOCA completed a self-study, followed by a site visit as a critical component of the reaccreditation process. Several steps were taken in preparation, such as the passing of amendments to the ordinance related to MOCA, improvements to the museum's infrastructure, approval of CRA funding to renovate the MOCA Courtyard, the appointment of new Board of Trustee members, and the hiring of a MOCA Director. The Accreditation Commission voted to table its decision, allowing the Museum to continue reinventing itself.



North Miami Brewfest (SEPTEMBER, 2017)

In 2017, a five-year title agreement was signed by FIU and the city of North Miami to continue the partnership, and use of MOCA Plaza as the event location. The festival premiered in the MOCA Plaza in 2017. North Miami Brewfest featured 120 different craft beers from about 40 brewers, craft brewing educational seminars, unlimited craft beer tastings, and live music. In 2017, the #NoMiBrewingDistrict emerged. Two breweries, Descarga Brewing Company and Lost City Brewing, signed leases to set-up shop in Downtown North Miami, near NE 125th Street.



Finance Administration (OCTOBER, 2017)

For three consecutive years now, North Miami went beyond the minimum requirements of the generally accepted accounting principles when preparing *Comprehensive Annual Financial Reports* (CAFR). This report's purpose is to give confirmation of the spirit of transparency and full disclosure. The Finance Department's commitment and success in achieving that goal allowed them to once again, after a 12-year gap, attain the *Certificate of Achievement for Excellence in Financial Reporting*.

The state of Florida's Auditor General audited the City's finances for the Purchasing, Finance, Public Works, and Building departments. Prior to receipt of the Auditor General's preliminary findings, corrective action had been taken regarding many of the highlighted areas of focus. Though many of these areas pre-date the tenure of current City administration, City staff diligently collaborated in addressing all areas of focus highlighted by the Auditor General.



Millage Rate (OCTOBER, 2017)

The millage rate was lowered from 7.9336 to 7.5000, which is the lowest in the last 10 years.



NMPD Partnership with Miami Dolphins (OCTOBER, 2017)

Miami Dolphins players and team staff joined NFL Commissioner Roger Goodell in North Miami as part of the team's *Ross Initiative in Sports for Equality*. The meeting sparked the creation of the *Football Unites Captains Program*, a diversity and inclusion initiative that will bring 80 to 100 middle school students from various backgrounds together once a month for a day of learning about tolerance, acceptance and leadership. The Miami Dolphins and North Miami Police Department were also named the recipients of the *Florida Police Chiefs Association "Operation Cooperation" Public/Private Partnerships of Services Award*.



Comcast: Channel 77
U-Verse: Channel 99

NoMi TV Expansion (NOVEMBER, 2017)

NoMi-TV was updated to high definition in order to improve the appearance and quality of the channel. In addition to Comcast Channel 77, U-Verse Channel 99 was added as well. NoMi TV is also streamed online through the City's website.



Chinatown (NOVEMBER, 2017)

The North Miami Community Redevelopment Agency adopted a *Conceptual Design Master Plan & Design Guidelines* for the District, which is arguably a bold endeavor and the first of its kind in South Florida.



Clean City Taskforce (JANUARY, 2018)

The City of North Miami Clean City Task Force was organized on January 31, 2018, in response to concerns of both residents and elected officials regarding the general cleanliness of the City. Issues being addressed include: unsafe, abandoned, unkempt, derelict and dilapidated buildings and properties, litter, shopping carts, derelict phone booths, illegal dumping and garbage, graffiti, abandoned vehicles, alleyways, and stray animals.



Beacon Award (APRIL, 2018)

The city of North Miami was honored as the 2018 recipient of *Miami-Dade Beacon Council Award for Business Climate & Policy*. In 2017, the city of North Miami implemented several innovative economic development programs, including its film incentives program and the *Green Rehabilitation Grant*.



MOCA Plaza Renovation (JUNE, 2018)

The North Miami CRA Board of Commissioners broke ground on the MOCA Plaza renovation project. The project includes installing new decorative brick pavers, light bollards, oak trees, and foxtail palms along the plaza's sculpture pond. The MOCA Plaza renovation project cost is approximately \$856,820 and is funded by the North Miami CRA and Miami-Dade County Board of County Commissioners.



NoMi Express (JULY, 2018)

Residents can now track real time arrival of the NoMi Express shuttle bus. The NOMI Express mobile app offers the advantage of an entirely new and redesigned tracking platform provided by TSO Mobile, taking the shuttle bus service to the next level. Weekend routes are coming soon.



City of North Miami Health Insurance (OCTOBER, 2018)

Administration successfully negotiated employee health, dental, and vision coverage at a savings of \$220,047 (reduction of 10%), while maintaining a comparable plan. The savings are both to the employee, as well as the City on premium contributions.



Cagni North (CONTINUOUS)

The city of North Miami and Miami-Dade County Public Schools executed an agreement for the development of Cagni North Park, which will be inclusive of an aquatic and recreational facility located at Northeast 8th Avenue and Northeast 135th Street. By resolution, Miami-Dade County Public Schools committed \$2.5 million dollars towards the project. In response to the North Miami constituency, on September 12, 2018, the North Miami City Council unanimously passed Resolution No. 2018-R-106 urging Miami-Dade County Commissioners to release the \$5,000,000 associated with Project No. 19 – Recreational Facility of the Miami-Dade County Building Better Communities General Obligation Bond (GOB) financing. The requested funds will be used to fund the development of Cagni North Park.



Capital Improvement Projects (CONTINUOUS)

The City's website now lists all Capital Improvement Projects. Major projects completed during the current administration's tenure, include the addition of approximately 800 trees to the City's tree canopy, renovation of Keystone Park, new linear park, traffic calming circles, Water Plant Filter Replacement, and North Miami Stadium. Major projects to come include Claude Pepper Park Playground Replacement and rehabilitation of the Winson Water Plant.



FEMA Awards North Miami Funds for Hurricane Irma (OCTOBER 2019)

A total of \$5,009,798.79 was reimbursed to the city of North Miami for the collection, reduction and disposal of debris throughout the City between September 18 and December 16, 2017. During this time period, City workers and contractors gathered and hauled away 105,877 cubic yards of vegetative debris and 15,397 cubic yards of construction/demolition debris from roads and public property for landfill disposal.



New Affordable Housing Initiatives (OCTOBER 2019)

The city of North Miami selected Magellan Housing, LLC to develop the City's former Rucks Park site as The Atala, a Green Certified, mixed use, mixed income, workforce housing development. The development will be built in an established North Miami residential community, on a 6.32-acre land parcel, primarily owned by the City. The Atala will consist of 134 apartment units, divided between three buildings and standing three stories high, plus a community garden with native plants and communal recreational areas. The total projected cost of the new development is \$40,000,000.

The North Miami Community Redevelopment Agency (NMCRA) allocated \$2.5 million towards affordable housing initiatives. In addition to single family rehab projects, NMCRA contributed to proposed development of energy efficient units, an affordable housing complex for the elderly, and multi-family housing assistance. NoMi Village is an innovative housing restoration initiative partially funded through a \$1.2 million contribution by the NMCRA.



North Miami's First City Pantry (OCTOBER 2019)

The city of North Miami is home to the first government-sponsored pantry housed within a local municipality and offered in collaboration with Feeding South Florida and the Florida Blue Foundation. North Miami residents have access to fresh nutritious fruits and vegetables, protein, dairy, and shelf-stable items, in addition to health and beauty items such as diapers and personal hygiene products. The City provided \$50,000 in funding along with space, equipment, and technical assistance for the pantry. The State of Florida provided \$50,000 in grant funding, and the Florida Blue Foundation provided a yearly grant of \$200,000 to the pantry for two years.



**American
Alliance of
Museums**

Museum of Contemporary Arts (MOCA) Receives Highest National Reaccreditation (NOVEMBER 2019)

The American Alliance of Museums (AAM) announced that MOCA of North Miami has been awarded reaccreditation, the highest national recognition afforded to museums throughout the nation. Accreditation stature exemplifies MOCA's commitment to meeting National Standards and Best Practices for U.S. museums through 2028.



Red Garden (NOVEMBER 2019)

The North Miami Community Redevelopment Agency (NMCRA) approved funding, not to exceed \$500,000, for the development of the NoMi Yard Red Garden located at 12351 NW 7th Avenue, 645 NW 123 Street, and 635 NW 123 Street.



Van Alen Institute (DECEMBER 2019)

The city of North Miami in collaboration with the Van Alen Institute opened the *Good Neighbor Stormwater Park*, which is a new kind of public space that combines a community park with local flood prevention. By integrating public space and stormwater infrastructure, the park reduces residents' flood risk, increase public awareness around flooding, and addresses the City's broader sea-level rise challenges.



North Miami Police Department (NMPD) Reaccreditation Taskforce (CONTINUOUS)

The establishment of NMPD Reaccreditation Taskforce.



UHealth to Open Medical Center in North Miami (CONTINUOUS)

The University of Miami Health System announced that it will open a world-class medical center at Solé Mia, the 784-acre, \$4 billion mixed-use development in North Miami developed by the Soffer and LeFrak families.