NORTH MIAMI
FLORIDA

Council Report

776 N.E. 125 Street, North Miami, Florida 33161

To: The Honorable Mayor and City Council

From: Marc Elias, Jr., Chief of Police

Date: August 28, 2012

RE: Appointment of Code Enforcement Special Magistrate

RECOMMENDATION

The Police Department recommends that Beatrice Cazeau, Esq., be appointed as a Code Enforcement Special Magistrate for the City of North Miami.

BACKGROUND

Under Section 2-108 of City of North Miami Code of Ordinances, and pursuant to Florida Statutes, Ch. 162.03(2), special magistrates designated and determined to be qualified by the City Council shall have authority to adjudicate ordinance violations.

To be eligible for service as a special magistrate, a person must either: be a retired Florida judge, or be a member in good standing of the Florida Bar for at least five (5) years.

By code, a special magistrate's term of appointment shall be limited to one (1) year, and a special magistrate may be re-appointed by the City Council provided that said magistrate possesses the qualifications required by code.

Ms. Cazeau is a member in good standing with the Florida Bar since September 17, 1999, and he is eligible to practice law in Florida.

ATTACHMENTS

Proposed Resolution

ME/APG/apg

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE APPOINTMENT OF BEATRICE CAZEAU, AS SPECIAL MAGISTRATE FOR CODE ENFORCEMENT PROCEEDINGS AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A ONE (1) YEAR LETTER OF AGREEMENT WITH THE SPECIAL MAGISTRATE, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the City of North Miami ("City") Code of Ordinances ("Code") allows for the appointment of up to three (3) Special Magistrates for Code Enforcement procedures; and

WHEREAS, the City Code requires that the Special Magistrates be either retired Florida judges or members in good standing of the Florida Bar for at least five (5) years; and

WHEREAS, City Administration has reviewed the qualifications of the proposed Special Magistrate and determined the candidate to be the best suited for the needs of the City and desires to enter into a one (1) year agreement; and

WHEREAS, the Mayor and City Council desire to designate and appoint the recommended candidate as Special Magistrate for Code Enforcement proceedings for a one (1) year period with an option to renew for an additional one (1) year term.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Designation of Special Magistrate. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the appointment of Beatrice Cazeau as Special Magistrate for Code Enforcement proceedings and authorize the City Manager and City Attorney to execute a one (1) year Letter of Agreement with the Special Magistrate, in substantially the attached form.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of August, 2012.

_____
ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____ (Yes)	_____ (No)
Vice Mayor Jean R. Marcellus	_____ (Yes)	_____ (No)
Councilperson Michael R. Blynn, Esq.	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Marie Erlande Steril	_____ (Yes)	_____ (No)

August 29, 2012

Beatrice Cazeau, Esq.
633 NE 167th Street, Suite 2B
North Miami Beach, FL 33162

RE: APPOINTMENT AS SPECIAL MAGISTRATE

This correspondence sets forth a Letter of Agreement ("Agreement") between the City of North Miami, a Florida municipal corporation ("City"), and Beatrice Cazeau, Esq., as an independent legal contractor for Code Enforcement proceedings ("Special Magistrate"). The City and Special Magistrate shall collectively be referred to as the "Parties".

The Parties agree as follows:

1. **Appointment of the Special Magistrate:** Pursuant to the City Charter, the City Council appoints Attorney Beatrice Cazeau, as a Special Magistrate, effective August 29, 2012.

2. **Term:** This Agreement is for a term of one (1) year with an option to renew for an additional one (1) year term, unless earlier terminated pursuant to this Agreement.

3. **Independent Contractor:** The Special Magistrate shall be deemed to be an independent contractor and not an agent or employee of the City. The Special Magistrate shall not attain any rights or benefits under the City's Civil Service or Pension Ordinances or any rights generally afforded to the City's classified or unclassified employees. Therefore, the Special Magistrate is not entitled to Florida Workers' Compensation benefits.

4. **Compensation:** The Special Magistrate shall be compensated at $125.00 per hour for services, non-inclusive of travel time to and from Code Enforcement hearings.

5. **Right of City to Terminate:** The City retains the right to terminate this Agreement, with or without cause, upon thirty (30) days written notice at any time prior to the completion of the above services without penalty. The City shall only be responsible to pay the Special Magistrate for any services actually rendered up to the date of termination.

6. **Notice:** All notices or other communications which shall or may be given pursuant to this Agreement shall be in writing and shall be delivered by personal service, or by registered mail addressed to the other party at the address indicated or as may be changed from time to time. Such notice shall be deemed given on the day on which personally served, or if by mail, on the date of actual receipt.

If to Special Magistrate:	Beatrice Cazeau, Esq. 633 NE 167th Street, Suite 1025 North Miami Beach, FL 33162
If to City:	City Manager City of North Miami 776 N.E. 125th Street North Miami, FL 33161
With a copy:	City Attorney City of North Miami 776 N.E. 125th Street North Miami, FL 33161
	Code Compliance Manager City of North Miami 776 N.E. 125th Street North Miami, FL 33161
	Chief of Police North Miami North Miami Police Department 700 N.E. 124th Street North Miami, FL 33161

7. **Acceptance:** Please indicate your agreement with the foregoing terms and provisions by signing below and returning an executed copy of this letter to the undersigned.

For Special Magistrate:

By: _____
Beatrice Cazeau, Esq.

For City of North Miami:

By: _____
Stephen E. Johnson, City Manager

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

_____
Regine M. Monestime
City Attorney

Enclosure

cc: Marc E. Elias, Chief of Police
Donald Blanchard, Code Compliance Police Supervisor
Alan Graham, Code Compliance Manager

CURRICULUM VITAE

BEATRICE CAZEAU, ESQ.
633 NE 167th Street, Suite 1025
North Miami Beach, FL 33162

Email: bc@clblawfirm.net
Telephone: (305) 381-6002
Fax: (305) 381-6808

BAR MEMBERSHIP:

- Member of the Florida Bar, September 1999
- Admitted to practice in all Federal Courts in the State of Florida
- Florida Supreme Court Certified Family Law Mediator

SIGNIFICANT WORK EXPERIENCE

LAW OFFICES OF CAZEAU, LINTON BARNES, LLC — Miami, FL
Shareholder — July 2002-Present

- Represent clients in the areas of foreclosure defense, administrative, criminal and family law (including child support)
- Attend Hearings before Child Support Hearing Officers and General Magistrates.
- Represent clients at hearings before the Department of Revenue
- Represent clients on appeals before the Office of Appeal Hearing Officer
- Represent clients in foreclosure actions in various stages including pre-trial, loss mitigation, mediation and trials
- Represent clients before the Miami-Dade County Property Appraiser and Value Adjustment Boards
- Mediate family related issues including child support, time sharing, parental responsibility, equitable distribution of assets and liabilities and paternity issues

STATE ATTORNEY'S OFFICE, Eleventh Judicial Circuit — Miami, FL
Assistant State Attorney — August 1999 – July 2002

- Served as trial lawyer
- Prosecuted felony and misdemeanor criminal cases from intake through trial
- Conducted arraignments, jail and bond hearings
- Conducted victim/witness interviews
- Conducted legal research, prepared motions and drafted memoranda of law
- Conducted jury selections, cross-examination and presented evidence
- Conducted and defended depositions
- Prosecuted cases in the Domestic Violence Unit, Juvenile and Felony divisions

UNIVERSITY OF FORT LAUDERDALE — Lauderhill, FL
Adjunct Professor — August 2000-January 2003

- Designed curriculum and teaching plans in the areas of pre-law and business ethics

- Developed course objectives
- Conducted research and wrote articles for class presentations
- Integrated knowledge and research from current events into course contents
- Prepared, conducted and graded exams
- Evaluated and graded research assignments
- Met and consulted with students and provided guidance to students
- Attended faculty meetings, strategic planning sessions, curriculum planning and development sessions

OFFICE OF THE ATTORNEY GENERAL Boston, MA
Consumer Information Specialist August 1997 - April 1998

- Educated the public about their rights under Massachusetts consumer protection laws
- Provided consumers with a variety of resources as well as referrals

DEPARTMENT OF SOCIAL SERVICES Brooklyn, NY
Fraud Investigator June 1996 - August 1996

- Investigated clients receiving public assistance
- Determined assistance and aid
- Reduced or denied assistance based on Eligible Verification Review Guidelines

EDUCATION

New England School of Law Boston, MA
Juris Doctor, May 1999

Honors: Dean's List (Fall 1997); Black Judges Award Recipient; Charles Hamilton Houston Enrichment Program Honor Society; Women Law Caucus

John Jay College of Criminal Justice New York, NY
Bachelor of Science, June 1994

Major: Criminal Justice Administration and Planning
Minor: Criminology and Sociology

TRAINING/SEMINARS

- Cross-Examination training
- Jury Selection training
- Evidence seminar
- Juvenile Prosecution seminar
- Gerald T. Bennett Prosecutor/Public Defender Trial Training Program

PRO BONO SERVICE

- Lawyers for Children America (2004-Present)
- Guardian Ad Litem (2006-Present)
- Legal Services of Greater Miami (2012- Present)

COMMITTEES/BOARDS

- Board of Director, Legal Services of Greater Miami, Inc (LSGMI)
- Executive Director, Haitian American Leadership Organization (HALO)
- Member, Wilkie D. Ferguson, Jr. Bar Association
- Member, Gwen S. Cherry Black Women Lawyers Association
- Former Member, Miami Dade County Domestic Violence Advisory Board
- Former Board of Director, National Bar Association Women Lawyer's Division
- Past President, Haitian Lawyers Association (HLA)
- Former Chair, Haitian Bicentennial Ad Hoc Steering Committee
- Co-host/Co-producer of "Info Legal" Television show

The Florida Bar
www.floridabar.org

Beatrice Cazeau

Member in Good Standing **Eligible to practice in Florida**

ID Number:	176079
Address:	633 NE 167th St Ste 1025 North Miami Beach, Florida 331622448 United States
Phone:	305.3816002
Fax:	305.3816808
E-Mail:	cazeaub@hotmail.com
vCard:	?
County:	Miami-Dade
Circuit:	11
Admitted:	09/17/1999
Sections:	Family Law
10-Year Discipline History	**None**
Law School:	New England School of Law
Degree:	Doctor of Jurisprudence/Juris Doctor
Firm:	Law Offices of Cazeau,Linton Barnes, LLC
Website:	www.clblawfirm.net
Firm Size:	2 to 5
Occupation:	Partner / Shareholder
Practice Areas:	Civil Litigation Criminal Marital and Family Mediation Personal Injury
Languages:	Haitian Creole
Federal Courts:	U.S. District Court, Middle District of Florida U.S. District Court, Northern District of Florida U.S. District Court, Southern District of Florida
State Courts:	Florida

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