



AGENDA

NORTH MIAMI CITY COUNCIL

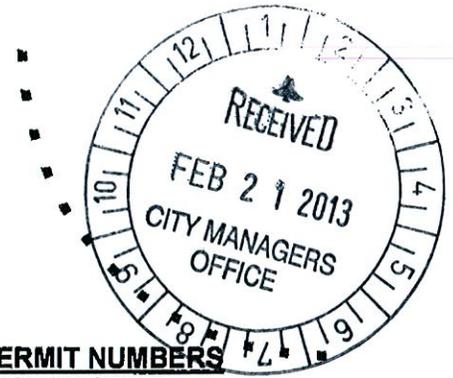
REGULAR MEETING

TUESDAY, FEBRUARY 26, 2013  
7:00 P.M.

\* \* \* \*

TAB N

- DISCUSSION REGARDING HAITI CUP 2013 SOCCER TOURNAMENTS  
AT NORTH MIAMI'S ATHLETIC STADIUM  
*Sponsored by: Councilman Michael R. Blynn*



**URGENT! FOLLOW UP MEMORANDUM REGARDING CANCELLING THE PERMIT NUMBERS  
#2462 & 2463 APPROVALS TO KYAFA SPORTS & ENTERTAINMENT, AN INACTIVE  
CORPORATION FROM 2010, APPROVED & ISSUED IN ERROR BY CITY STAFF  
ON JANUARY 30, 2013**

Date: February 21, 2013  
To: City Manager  
City Attorney  
Parks Director

Via E-Mail: [sjohnson@northmiamifl.gov](mailto:sjohnson@northmiamifl.gov), [mpinera@northmiamifl.gov](mailto:mpinera@northmiamifl.gov), [rmonestime@northmiamifl.gov](mailto:rmonestime@northmiamifl.gov),  
[jgeimer@northmiamifl.gov](mailto:jgeimer@northmiamifl.gov)

I am in receipt of the above-referenced Permit Nos. 2462 & 2463 for the stadium and the showmobile respectively issued on January 30, 2013 by the City of North Miami staff. I am greatly troubled by the fact that not only is the corporation a for profit, but it is not in good standing with the State of Florida, and I further note that Patrick Fabre is neither the agent, nor a director. The corporate records, including the Articles of Incorporation filed in 2009 for this inactive for profit corporation show a Mitsuka Pigniat-Fabre, not Patrick Fabre, who is on other corporate records of other inactive corporations.

The fact that this corporation was a for-profit and is not recognized by the State of Florida violates two of our policies for the waivers, contributions and donations by the City. Further, the agent contracting appears nowhere as an agent, officer or director of the corporation, and has no authority to contract on behalf of this entity. It is my opinion unless a valid, lawful, not for profit entity applies for approval on an emergency basis to take over the event and properly come to Staff and Council for approval at the next Council meeting, the City has no other choice, but to cancel the event, or postpone it for a later date with a different applicant, who is in good standing with the State and is a non-profit. The Permits should be immediately cancelled.

Mr. Fabre have done a disservice to the City, and to its residents that look forward to the event, not only to the residents at Biscayne Landings, whose quiet enjoyment of the premises would have been impaired for 11 consecutive Sundays, at the last. This alleged organizer has no standing to insist upon any hours, let alone those that will interfere with the residents at Biscayne Landings. Any verbal or written agreement with an inactive organization not in good standing with the State of Florida, by someone whose name does not appear in the articles of incorporation or as an agent, is not a valid contract, and the Permits should be withdrawn and the Contract cancelled. One way or the other, I am requesting that this this item be placed on the agenda for the next City Council meeting.

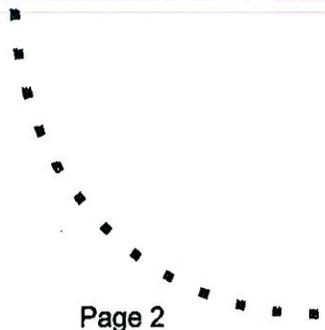
**Office of the Mayor and Council**

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With all due respect, the staff approving and issuing the permits should checked the status before issuing the permits to this organization, who exists without being in good standing in the State, and lacks legal status, in my opinion to contract with the State.

There is also the serious issue of liability and the legal responsibility for any injuries to anyone or to any property, including a disturbance of the quiet enjoyment of the residents at Biscayne Landings which would almost certainly fall to the City, not this entity, which undoubtedly is uninsured or underinsured for this event. if this moves forward with this entity not recognized by the State. I have attached the records regarding the organization's lack of standing with the State to confirm and the Articles of Incorporation to document what I have stated here. I also included other inactive corporations with Patrick Fabre as an agent or director, but that is inapplicable, and those corporations have been inactive for many years before this applicant.

I am attempting to give staff every opportunity to cancel the permits prior to the next City Council meeting, to give the maximum time for a substitute lawful not for profit sponsor to come forward, and if not, to cancel the event.

Regardless, I am again insisting that this item be on the agenda on the next City Council Meeting, either for consideration of a new, qualified applicant, with very limited hours and fewer dates, or to announce the cancellation of the event. . This not recognized agent for an inactive corporation is in no position to insist upon times or dates. I also note that there are 15 dates for the stadium, not 11, and 11 only for the showmobile. Furthermore, this tournament was not properly represented to Council, to my understanding and recollection, and the times and dates were greatly expanded beyond what was represented when the majority of the Council chose to approve it, with Scott Galvin and I registering the negative votes, believing, as is the case, that this applicant did not meet the qualifications for waivers and City contributions of any kind.

  
\_\_\_\_\_  
Councilmember Michael R. Blynn

Enc: Corporate records attached

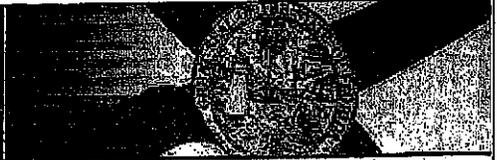
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Entity Name Search

No Events

No Name History

## Detail by Entity Name

### Florida Profit Corporation

KSE GROUP, INC

This detail screen does not contain information about the 2013 Annual Report.  
Click the 'Search Now' button to determine if the 2013 Annual Report has been filed.

### Filing Information

Document Number P13000010240

FEI/EIN Number NONE

Date Filed 01/30/2013

State FL

Status ACTIVE

Effective Date 01/30/2013

### Principal Address

14616 W DIXIE HWY  
NORTH MIAMI FL 33161

### Mailing Address

14616 W DIXIE HWY  
NORTH MIAMI FL 33161

### Registered Agent Name & Address

MSP FINANCIAL SERVICES INC  
14616 W DIXIE HWY  
NORTH MIAMI FL 33161 US

### Officer/Director Detail

#### Name & Address

Title P

FABRE, PATRICK  
180 NE 156TH ST  
MIAMI FL 33162

### Annual Reports

No Annual Reports Filed

### Document Images

**Electronic Articles of Incorporation  
For**

P13000010240  
FILED  
January 30, 2013  
Sec. Of State  
vherring

KSE GROUP, INC

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

**Article I**

The name of the corporation is:

KSE GROUP, INC

**Article II**

The principal place of business address:

14616 W DIXIE HWY  
NORTH MIAMI, FL. 33161

The mailing address of the corporation is:

14616 W DIXIE HWY  
NORTH MIAMI, FL. 33161

**Article III**

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS.

**Article IV**

The number of shares the corporation is authorized to issue is:

1000

**Article V**

The name and Florida street address of the registered agent is:

MSP FINANCIAL SERVICES INC  
14616 W DIXIE HWY  
NORTH MIAMI, FL. 33161

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: MARIO PIERRE

P13000010240  
FILED  
January 30, 2013  
Sec. Of State  
vherring

### **Article VI**

The name and address of the incorporator is:

MARIO PIERRE  
14616 W DIXIE HWY

NORTH MIAMI FL 33161

Electronic Signature of Incorporator: MARIO PIERRE

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

### **Article VII**

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P  
PATRICK FABRE  
180 NE 156TH ST  
MIAMI, FL. 33162

### **Article VIII**

The effective date for this corporation shall be:

01/30/2013