

MINUTES

OF THE
REGULAR
CITY COUNCIL MEETING

NOVEMBER 3, 2009



PREPARED BY:
SUSAN A. OWENS, CMC,
CITY CLERK

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MINUTES
(CNMB-CC MINUTES TAPE #428)

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1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	MYRON ROSNER, PRESIDING
VICE MAYOR	FRANTZ PIERRE
COUNCILWOMAN	BETH E. SPIEGEL
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JOHN PATRICK JULIEN
COUNCILMAN	PHILIPPE DEROSE
COUNCILWOMAN	BARBARA KRAMER
CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SUSAN A. OWENS

2. **INVOCATION:** DR. KELVIN L. BAKER, CITY OF NORTH MIAMI BEACH

3. **SALUTE TO THE AMERICAN FLAG**

4. **REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA:**

DEFERMENT: ITEM #14(C)
ORDINANCE NO. 2009-18

PULL FROM CONSENT: ITEM #7(A)
OCTOBER 6, 2009 MINUTES

ADDITION(S): ITEM #5(B)
RECOGNITION OF CHERYL FABRIZIO AS THE SEPTEMBER
2009 EMPLOYEE OF THE MONTH

ITEM #7(A) APPROVAL OF OCTOBER 6, 2009 MINUTES

THE CITY CLERK REQUESTED THAT THE FOLLOWING AMENDMENTS BE MADE TO THE OCTOBER 6, 2009 MINUTES PRIOR TO APPROVAL:

1) PAGE 10 (BOTTOM) - ~~COUNCILWOMAN SMITH REQUESTED THE RECORD REFLECT THAT THERE WOULD BE NO CONFLICT OF INTEREST IN MR. TONY BRUNSON SERVING AS THE CITY AUDITOR.~~

COUNCILWOMAN SMITH REQUESTED CLARIFICATION FOR THE RECORD AS TO WHETHER THERE WOULD BE A CONFLICT OF INTEREST IN MR. TONY BRUNSON

SERVING AS THE CITY AUDITOR. THE CITY FINANCE DIRECTOR, SUSAN GOODING-LIBURD, STATED THAT THERE WOULD NOT BE ANY CONFLICT OF INTEREST.

- 2) PAGE 19 (BOTTOM) - MAYOR THANKED THE CITY MANAGER JEFF VERY MUCH FOR SENDING HIM JEFF.

MOTION by COUNCILWOMAN SMITH, SECONDED by VICE MAYOR PIERRE to APPROVE THE OCTOBER 6, 2009 MINUTES AS AMENDED. MOTION CARRIED.

5. PRESENTATIONS

- A. PRESENTATION OF SEPTEMBER 2009 C.A.R.E. SUGGESTION AWARD BY COUNCILWOMAN PHYLLIS S. SMITH AND KELVIN L. BAKER, CITY MANAGER, TO PATRICK ROSIAK FOR HIS SUGGESTION TO ENCOURAGE BUSINESS AT THE NMB CAFÉ BY OFFERING EMPLOYEES/PATRONS A FREQUENT CUSTOMER PUNCH CARD INCENTIVE TO RECEIVE A FREE LUNCH OR MONETARY VALUE CREDIT AFTER PURCHASING FIVE (5) LUNCHES. (SUBJECT OF THE CONSIDERATION AND CONSENT OF THE NMB CAFÉ MANAGEMENT.)

PRESENTATION WAS MADE BY COUNCILWOMAN SMITH AND THE CITY MANAGER.

- B. RECOGNITION OF CHERYL FABRIZIO AS THE SEPTEMBER 2009 EMPLOYEE OF THE MONTH BY VICE MAYOR FRANTZ PIERRE

PRESENTATION WAS MADE BY VICE MAYOR PIERRE.

6. APPOINTMENTS:

- A. MULTI-CULTURAL COMMITTEE (*Councilman John Patrick Julien*)
MICHAEL BROWN

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SMITH to APPOINT MICHAEL BROWN to the MULTI-CULTURAL COMMITTEE. MOTION CARRIED.

- B. COMMISSION ON AGING-SENIOR CITIZENS ADVISORY BOARD (*Councilwoman Phyllis S. Smith*)
ESTHER PAHL

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILMAN JULIEN to APPOINT ESTHER PAHL to the COMMISSION ON AGING-SENIOR CITIZENS ADVISORY BOARD. MOTION CARRIED.

- C. BEAUTIFICATION COMMITTEE (*Councilman Philippe Deroose*)
RONIT SINGER

MOTION by COUNCILMAN DEROSE, SECONDED by VICE MAYOR PIERRE to APPOINT RONIT SINGER to the BEAUTIFICATION COMMITTEE. MOTION CARRIED.

- D. RECREATION COMMITTEE (*Councilwoman Barbara Kramer*)
MARLEN MARTELL

MOTION by COUNCILWOMAN KRAMER, SECONDED by COUNCILMAN DEROSE to APPOINT MARLENE MARTELL to the RECREATION COMMITTEE.

COUNCILMAN DEROSE WITHDREW HIS SECOND.
FOR LACK OF A SECOND.

MOTION FAILED.

MOTION by COUNCILWOMAN SPIEGEL, SECONDED by COUNCILMAN JULIEN to TABLE
APPOINTMENT OF MARLENE MARTELL to the RECREATION COMMITTEE.

MOTION CARRIED.

7. CONSENT AGENDA

A. APPROVAL OF MINUTES

OCTOBER 6, 2009

OCTOBER 20, 2009 (DEFERRED)

ITEM PULLED FROM CONSENT AGENDA (SEE PAGES 1-2).

B. RESOLUTIONS:

RESOLUTION NO. R2009-68

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRAN CONSTRUCTION, INC. FOR THE N.E. 19TH AVENUE ROADWAY IMPROVEMENT PROJECT.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILMAN DEROSE to APPROVE
CONSENT AGENDA AS AMENDED. MOTION CARRIED.

8. CITY MANAGER'S REPORT
KELVIN L. BAKER

- A. THE CITY MANAGER STATED THAT THE CITY HAS FINALLY IMPLEMENTED THE EASTERN SHORES FIRE RESCUE SERVICE WITH MIAMI-DADE COUNTY. THEY ARE CURRENTLY ON SITE, WORKING OUT OF A LITTLE TRAILER; BUT, THEY ARE DOING SOME RENOVATIONS INSIDE OF THE ACTUAL FACILITY. THEY ARE EXCITED TO BE ON WITH US. WE TRUST THAT THEY ARE TRANSITIONING VERY WELL WITH THE COMMUNITY THERE. WE HAVE SIGNAGE UP IN THE ENTRYWAY. IF THERE ARE ANY CONCERNS OR QUESTIONS RELATED TO THEIR SERVICE, THEIR LEVEL OF SERVICE, THAT NUMBER CAN BE CALLED AND THEY HAVE SOMEONE THERE AVAILABLE TO ANSWER ANY QUESTIONS THAT THEY MAY HAVE. WE ARE HAPPY TO FINALLY HAVE IT ON. MY ASSISTANT CITY MANAGER ROSLYN WEISBLUM, HAS DONE AN EXCELLENT JOB AT WORKING OUT ALL OF THE DETAILS AND WORKING WITH THEM WITH OUR BUILDING DEPARTMENT TO GET THE PERMITS AND EVERYTHING MOVING SO WE CAN GET THEM TRANSITIONING INTO THE FACILITY. OUR GOAL IS WITHIN THE NEXT THREE WEEKS TO HAVE THE FACILITY UP TO PAR TO MEET THE COUNTY'S STANDARDS AND THEY WILL BE FULLY IN THE FACILITY. IN THE MEANTIME, THEY ARE WORKING OUT OF A TRAILER AND THEY ARE RESPONDING TO CALLS AS THEY COME IN.

9. CITY ATTORNEY'S REPORT

DARCEE S. SIEGEL

- A. THE CITY ATTORNEY STATED THAT AT THE NEXT MEETING WILL BE AN AMENDMENT TO OUR ORDINANCE FOR THE REDEVELOPMENT ADVISORY BOARD, SO THAT COUNCIL CAN START APPOINTING INDIVIDUALS TO THE BOARD AND SO THAT THE CITY CAN MOVE FORWARD. WE'VE HAD MANY CONVERSATIONS BASED ON THAT ORDINANCE AND HOPEFULLY IT'S WHAT YOU WANTED AND WE'LL MOVE FORWARD WITH THAT.
- B. THE CITY ATTORNEY INFORMED THE COUNCIL THAT SHE HAS HIRED AN ASSISTANT CITY ATTORNEY, MARIA SANTOVENIA. SHE STARTED YESTERDAY; AND, SHE WILL BE BEFORE YOU AT THE NEXT MEETING TO BE SWORN IN.

10. PUBLIC COMMENT

TO ALL CITIZENS APPEARING UNDER PUBLIC COMMENT

THE COUNCIL HAS A RULE WHICH DOES NOT ALLOW DISCUSSION ON ANY MATTER WHICH IS BROUGHT UP UNDER PUBLIC COMMENT. WE ARE, HOWEVER, VERY HAPPY TO LISTEN TO YOU. THE REASON FOR THIS IS THAT THE COUNCIL MUST HAVE STAFF INPUT AND PRIOR KNOWLEDGE AS TO FACTS AND FIGURES SO THAT THEY CAN INTELLIGENTLY DISCUSS A MATTER. THE COUNCIL MAY WISH TO ASK QUESTIONS REGARDING THIS MATTER BUT WILL NOT BE REQUIRED TO DO SO. AT THE NEXT OR SUBSEQUENT COUNCIL MEETING YOU MAY, IF YOU SO DESIRE, HAVE ONE OF THE COUNCILPERSONS INTRODUCE YOUR MATTER AS HIS OR HER RECOMMENDATION. WE WISH TO THANK YOU FOR TAKING THE TIME TO BRING THIS MATTER TO OUR ATTENTION. UNDER NO CIRCUMSTANCES WILL PERSONAL ATTACKS, EITHER FROM THE PUBLIC OR FROM THE DAIS, BE TOLERATED.

SPEAKING BEFORE THE CITY COUNCIL

THERE IS A THREE (3) MINUTE TIME LIMIT FOR EACH SPEAKER DURING PUBLIC COMMENT AND A THREE (3) MINUTE TIME LIMIT FOR EACH SPEAKER DURING ALL PUBLIC HEARINGS. YOUR COOPERATION IS APPRECIATED IN OBSERVING THE THREE (3) MINUTE TIME LIMIT POLICY. IF YOU HAVE A MATTER YOU WOULD LIKE TO DISCUSS WHICH REQUIRES MORE THAN THREE (3) MINUTES, PLEASE FEEL FREE TO ARRANGE A MEETING OR AN APPOINTMENT WITH THE APPROPRIATE ADMINISTRATIVE OR ELECTED OFFICIAL.

NOTE: IN THE COUNCIL CHAMBERS, CITIZEN PARTICIPANTS ARE ASKED TO COME FORWARD TO THE PODIUM, GIVE YOUR NAME AND ADDRESS, AND NAME AND ADDRESS OF THE ORGANIZATION YOU ARE REPRESENTING, IF ANY. IF YOU ARE SPEAKING ON A PUBLIC HEARING ITEM, PLEASE SPEAK ONLY ON THE SUBJECT FOR DISCUSSION. THANK YOU VERY MUCH, IN ADVANCE, FOR YOUR COOPERATION.

NOTICE TO ALL LOBBYISTS

ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES IS REQUIRED TO REGISTER AS A LOBBYIST WITH THE CITY CLERK PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY BOARDS, COMMITTEES OR THE CITY COUNCIL. A COPY OF THE APPLICABLE ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK WHICH IS LOCATED ON THE GROUND FLOOR OF CITY HALL OR ON THE CITY'S WEBSITE.

PLEDGE OF CIVILITY

A RESOLUTION WAS ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH RECOGNIZING THE IMPORTANCE OF CIVILITY, DECENCY AND RESPECTFUL BEHAVIOR IN PROMOTING CITIZEN PARTICIPATION IN A DEMOCRATIC GOVERNMENT. THE CITY OF NORTH MIAMI BEACH CALLS UPON ALL RESIDENTS, EMPLOYEES, AND ELECTED OFFICIALS TO EXERCISE CIVILITY TOWARD EACH OTHER. (RESOLUTION NO. R2007-57, 11/06/07)

A. CHARLES LOEB
16800 N.E. 15 AVE
North Miami Beach, FL

RE: CENSUS, BUS HUB, HIGH SPEED RAIL, FUNDS FOR THE POLICE DEPARTMENT, AND HAPPY BIRTHDAY TO COUNCILWOMAN KRAMER

B. JOSEPH PAGLINO
1270 N.E. 162 ST
North Miami Beach, FL

RE: CLEANLINESS CONCERNS AND SCANDALS

C. JULIUS LITTMAN
3545 N.E. 166 ST, PH #10
North Miami Beach, FL

RE: COUNCIL LONGEVITY PAY, LISTENING TO CITIZENS, RECALLS, AND EMERGENCY SERVICE CALLS FOR EASTERN SHORES

D. ALLISON ROBIE
2131 N.E. 179 ST
North Miami Beach, FL

RE: PUBLIC COMMENT, FREE SPEECH, AND SELECTION OF THE NEW AUDITING FIRM

E. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

RE: LISTENING TO CITIZENS, TREATMENT OF BOARD APPLICANT, AND CONSIDERATION OF RESIDENTS

11. MISCELLANEOUS ITEMS

NONE

12. WAIVER OF FEE

NONE

**13. BUSINESS TAX RECEIPT MATTERS
CITY CLERK**

NONE

14. LEGISLATION

ADMINISTRATION OF TESTIMONY OATH

PLEASE BE ADVISED THAT, DUE TO RECENT SUPREME COURT RULINGS REGARDING CERTAIN TYPES OF LEGISLATION, INDIVIDUALS WISHING TO SPEAK ON THE FOLLOWING ITEMS MUST BE SWORN IN PRIOR TO PROVIDING ANY TESTIMONY:

RESOLUTION NO. R2009-20A

ORDINANCE NO. 2009-24

ORDINANCE NO. 2009-25

A. RESOLUTIONS (SERIATIM NO. 2009-68)

Reconsideration of Resolution No. R2009-57 (*passed September 22, 2009*) entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ELIMINATING CITY PAID HEALTH CARE BENEFITS FOR ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH; ELIMINATING CITY PAID HEALTH INSURANCE DEDUCTIBLES AND COINSURANCE FOR CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH; INCREASING LIFE INSURANCE BENEFITS FOR ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH AND INCREASING THE SALARY PAID TO ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH", was introduced by MOTION OF COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN KRAMER. MOTION CARRIED.

MOTION by COUNCILWOMAN SPIEGEL, SECONDED by COUNCILMAN JULIEN to RESCIND RESOLUTION NO. R2008-51.

COUNCILMAN JULIEN WITHDREW HIS SECOND.
FOR LACK OF A SECOND.

MOTION FAILED.

MOTION by COUNCILWOMAN KRAMER, SECONDED by COUNCILWOMAN SPIEGEL to TABLE RESOLUTION NO. R2009-57. MOTION CARRIED.

Resolution No. R2009-57A entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ELIMINATING CITY PAID HEALTH CARE BENEFITS FOR ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH; ELIMINATING CITY PAID HEALTH INSURANCE DEDUCTIBLES AND COINSURANCE FOR CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH; ELIMINATING CITY PAID OUT OF POCKET MEDICAL REIMBURSEMENTS FOR ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH; INCREASING LIFE INSURANCE BENEFITS FOR ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH MIAMI BEACH AND INCREASING THE SALARY PAID PROVIDING FOR A TOTAL BENEFIT PACKAGE FOR MAYOR AND CITY COUNCIL WHICH WILL INCLUDE SALARY, EXECUTIVE EXPENSE, HEALTH INSURANCE, GROUP LIFE INSURANCE, ACCIDENTAL DEATH INSURANCE, CAR ALLOWANCE AND WORKERS' COMPENSATION INSURANCE; TO ALL CURRENT AND FUTURE ELECTED OFFICIALS OF THE CITY OF NORTH

MIAMI BEACH", was introduced by MOTION OF COUNCILMAN JULIEN, SECONDED BY COUNCILWOMAN SPIEGEL. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE to ADOPT RESOLUTION NO. R2009-57A.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILWOMAN SPIEGEL to TAKE A TEN MINUTE RECESS. MOTION CARRIED.

CLERK'S NOTE: THE CITY COUNCIL MEETING WAS TEMPORARILY RECESSED AT 10:23 P.M. THE CITY COUNCIL MEETING WAS RECONVENED AT 10:36 P.M.; AND, ALL COUNCILMEMBERS WERE PRESENT.

MOTION by COUNCILWOMAN KRAMER, SECONDED by COUNCILWOMAN SPIEGEL to AMEND RESOLUTION NO. R2009-57A BY REDUCING THE SALARY FOR MAYOR TO \$30,000 AND THE SALARY FOR COUNCILMEMBERS TO \$25,000. MOTION FAILED, WITH VICE MAYOR PIERRE, COUNCILWOMAN SMITH, COUNCILMAN JULIEN, COUNCILMAN DEROSE, AND MAYOR ROSNER VOTING IN THE NEGATIVE.

MOTION by VICE MAYOR PIERRE, SECONDED by COUNCILWOMAN SMITH to AMEND RESOLUTION NO. R2009-57A TO CLARIFY THAT FLORIDA RETIREMENT CONTRIBUTIONS ARE TO BE PAID BY THE EMPLOYEE. MOTION CARRIED.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILMAN JULIEN to AMEND RESOLUTION NO. R2009-57A BY REMOVING THE FOURTH (4TH) WHEREAS CLAUSE IN ITS ENTIRETY AND BY REMOVING THE LANGUAGE, "IN ORDER TO COMPLY WITH THE CONSTITUTION" FROM THE BEGINNING OF THE FIFTH (5TH) WHEREAS CLAUSE.

MOTION CARRIED,
WITH COUNCILWOMAN SPIEGEL VOTING IN THE NEGATIVE.

MOTION by VICE MAYOR PIERRE, SECONDED by COUNCILWOMAN KRAMER to AMEND RESOLUTION NO. R2009-57A BY REPLACING THE STRICKEN FOURTH (4TH) WHEREAS CLAUSE WITH, "THE POLICY OF THE CITY OF NORTH MIAMI BEACH IS TO ENSURE THAT ALL COUNCILMEMBERS ARE EQUALLY COMPENSATED". MOTION CARRIED.

MOTION by VICE MAYOR PIERRE, SECONDED by COUNCILWOMAN SMITH to AMEND RESOLUTION NO. R2009-57A BY REMOVING ALL REFERENCES TO "WORKERS' COMPENSATION INSURANCE". MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE to ADOPT RESOLUTION NO. R2009-57A AS AMENDED. MOTION FAILED, WITH COUNCILWOMAN SMITH, COUNCILMAN DEROSE, AND COUNCILWOMAN KRAMER VOTING IN THE NEGATIVE.

MOTION by COUNCILWOMAN SPIEGEL, SECONDED by COUNCILMAN DEROSE to RESCIND RESOLUTION NO. R2008-51. MOTION WITHDRAWN.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SPIEGEL to REMOVE FROM THE TABLE RESOLUTION NO. R2009-57. SECOND WITHDRAWN.
AND MOTION FAILED FOR LACK OF A SECOND.

MOTION by COUNCILWOMAN KRAMER, SECONDED by COUNCILMAN JULIEN to RECONSIDER RESOLUTION NO. R2009-57A WITH THE AMENDMENTS THAT WERE PASSED. MOTION FAILED.
WITH VICE MAYOR PIERRE, COUNCILWOMAN SMITH, COUNCILMAN DEROSE, AND MAYOR ROSNER VOTING IN THE NEGATIVE.

Names of Party (ies) Appearing:

1. STEPHANIE KIENZLE
1653 N.E. 178 ST
North Miami Beach, FL
2. BERT KEHREN
3302 N.E. 171 ST
North Miami Beach, FL
3. RICHARD RIESS
23 N.W. 169 ST
North Miami Beach, FL
4. MARY HILTON
1950 N.E. 157 TER
North Miami Beach, FL
5. MARILYN BAUMOEHL
18635 N.E. 20 CT
North Miami Beach, FL
6. SAMANTHA SUAYA
16570 N.E. 35 AVE
North Miami Beach, FL
7. GEORGE VALLEJO
2940 N.E. 164 ST
North Miami Beach, FL
8. SANDY VALLEJO
2940 N.E. 164 ST
North Miami Beach, FL
9. HARRY SMITH
1121 N.E. 166 ST
North Miami Beach, FL
10. ANTHONY DEFILLIPO
1458 N.E. 177 ST
North Miami Beach, FL

11. BRUCE LAMBERTO
3420 N.E. 165 ST
North Miami Beach, FL
12. BARBARA FALSEY
3660 N.E. 166 ST
North Miami Beach, FL
13. ALLISON ROBIE
2131 N.E. 179 ST
North Miami Beach, FL
14. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL
15. JOSEPH PAGLINO
1270 N.E. 162 ST
North Miami Beach, FL
16. CHARLES LOEB
16800 N.E. 15 AVE
North Miami Beach, FL
17. ROBERT TAYLOR
1951 N.E. 157 TER
North Miami Beach, FL
18. MURIEL KEMP
1479 N.E. 178 ST
North Miami Beach, FL

Resolution No. R2009-20A entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. R2009-20, COLUMBUS NETWORKS' SITE PLAN APPROVAL, BY REVISING AND CHANGING THE CONFIGURATION OF THE BUILDINGS ON THE SITE AND REDUCING THE PREVIOUSLY APPROVED FLOOR AREA FROM 10,759 SQUARE FEET TO 8,129 SQUARE FEET; REVOKING APPROVAL OF THE SITE PLAN NUMBERED A-1.00 DATED FEBRUARY 27, 2009 AND REPLACING IT WITH SITE PLAN A-1.00 DATED OCTOBER 6, 2009. AS PROPOSED. ON PROPERTY LEGALLY DESCRIBED AS:

LOTS 1-9 AND LOTS 22-30, BLOCK 5 "FULFORD VILLAS AMENDED" AND A 16' WIDE ALLEY LYING BETWEEN SAID LOTS, PLAT BOOK 21, PAGE 24, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A K A

15950 WEST DIXIE HIGHWAY

NORTH MIAMI BEACH, FLORIDA was introduced by MOTION of VICE MAYOR PIERRE, SECONDED by COUNCILMAN JULIEN. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED COUNCILMAN DEROSE to ADOPT
RESOLUTION NO. R2009-20A. MOTION CARRIED.
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	NO	
COUNCILWOMAN SMITH	YES	(VOTE: 6 YES;
COUNCILMAN JULIEN	YES	1 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party(ies) Appearing:

1. MICHAEL MADDEN, Schulman & Assoc. Architects Project Architect
100 N.E. 38 ST
Miami, FL
2. CHRIS HEID, City of North Miami Beach City Planner
17050 N.E. 19 AVE
North Miami Beach, FL
3. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

Resolution No. R2009-67 entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SHARPTON BRUNSON & COMPANY FOR INDEPENDENT AUDITING SERVICES," was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE.

MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE to ADOPT
RESOLUTION NO. R2009-67. MOTION CARRIED.
WITH COUNCILWOMAN SPIEGEL AND COUNCILWOMAN KRAMER VOTING IN THE
NEGATIVE.

B. ORDINANCES – FIRST READING (SERIATIM NO 2009-28)

Ordinance No. 2009-24 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER 24, SECTION 22, ENTITLED "DEFINITIONS", OF THE ZONING AND LAND DEVELOPMENT CODE TO CHANGE THE DEFINITIONS OF HOTEL AND MOTEL AND TO ADD DEFINITIONS FOR PUBLIC LODGING ESTABLISHMENTS; RESORT CONDOMINIUM; NON-TRANSIENT APARTMENT OR ROOMING HOUSE; TRANSIENT APARTMENT OR ROOMING HOUSE; ROOMING HOUSE, AND RESORT DWELLING; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was

introduced by MOTION of COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE ON ITS FIRST READING. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED COUNCILWOMAN KRAMER to ADOPT ORDINANCE NO. 2009-24 ON FIRST READING. MOTION CARRIED.

BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party (ies) Appearing:

1. ROBERT NIX, City of North Miami Beach Community Development Director
17050 N.E. 19 AVE
North Miami Beach, FL
2. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SPIEGEL to EXTEND THE COUNCIL MEETING PAST MIDNIGHT TO COMPLETE THE REMAINING AGENDA ITEMS. MOTION CARRIED.

Ordinance No. 2009-25 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING A NEW SECTION OF THE ZONING AND LAND DEVELOPMENT CODE, MAKING IT UNLAWFUL FOR OWNERS OF SINGLE FAMILY HOMES AND TOWNHOUSES, EXCEPT IN THE MH-1 ZONING DISTRICT, TO RENT OR LEASE A DWELLING FOR LESS THAN THREE MONTHS OR MORE THAN THREE TIMES IN A TWELVE MONTH PERIOD; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR THE CONTINUATION OF CERTAIN SHORT TERM RENTALS THAT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; REQUIRING EXISTING SHORT TERM RENTALS TO APPLY FOR A BUSINESS TAX RECEIPT FOR EACH PROPERTY PURSUANT TO SECTION 12-31(87)(B) OF THE CITY CODE; ESTABLISHING REQUIREMENTS FOR OBTAINING AND CONTINUING A BUSINESS TAX RECEIPT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE", was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE ON ITS FIRST READING. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, SECONDED by COUNCILMAN JULIEN to ADOPT ORDINANCE NO. 2009-25 ON FIRST READING. MOTION CARRIED.
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	NO	
COUNCILWOMAN SPIEGEL	NO	
COUNCILWOMAN SMITH	YES	(VOTE: 5 YES;
COUNCILMAN JULIEN	YES	2 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party(ies) Appearing:

1. ALEXANDRA DEAS, LAW OFFICES OF BILZIN SUMBERG AND LOBBYIST FOR ERIC HARRARI
200 S. BISCAYNE BLVD.
Miami, FL
2. ERIC HARRARI
1261 CYPRUS RD
North Miami, FL
3. GUY TENENBAUM
16479 N.E. 30 AVE
North Miami Beach, FL
4. ALICIA ROOK
1971 N.E. 188 ST
North Miami Beach, FL
5. MUBARAK KAZAN
15564 N.E. 12 AVE
North Miami Beach, FL

Ordinance No. 2009-26 entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING AND ENACTING SECTION 2-61 OF THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES TO PROVIDE FOR THE CREATION, MEMBERSHIP, QUORUM, AND TERMS OF THE PENSION BOARD FOR THE POLICE OFFICERS AND FIREFIGHTERS OF THE CITY OF NORTH MIAMI BEACH IN ACCORDANCE WITH STATE LAW AND CITY RETIREMENT PLAN FOR POLICE OFFICERS AND FIREFIGHTERS EFFECTIVE JANUARY 1, 1990 AND ADOPTED BY ORDINANCE NO. 89-18; PROVIDING COUNCILPERSONS WITH EX-OFFICIO DUTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE", was introduced by MOTION of COUNCILWOMAN SPIEGEL.. SECONDED by COUNCILMAN JULIEN ON FIRST READING BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SMITH to AMEND ORDINANCE NO. 2009-26 TO REFLECT THE MODIFICATIONS BELOW AND TO APPROVE ORDINANCE NO. 2009-26 AS AMENDED ON FIRST READING. BY TITLE ONLY.

1. LINES 7-8 OF PROPOSED SECTION 2-61.4 AMENDED TO READ:
 "... WHEREUPON ~~THE CITY COUNCIL SHALL CHOOSE HIS/HER SUCCESSOR~~
HIS/HER SUCCESSOR SHALL BE CHOSEN IN THE SAME MANNER AS AN
 ORIGINAL APPOINTMENT."

MOTION CARRIED.

WITH THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party (ies) Appearing:

1. MUBARAK KAZAN
 15564 N.E. 12 AVE
 NORTH MIAMI BEACH, FL

Ordinance No. 2009-27 entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING AND ENACTING SECTION 2-62 OF THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES TO PROVIDE FOR THE CREATION, MEMBERSHIP, QUORUM, AND TERMS OF THE PENSION BOARD FOR THE GENERAL EMPLOYEES OF THE CITY OF NORTH MIAMI BEACH IN ACCORDANCE WITH STATE LAW AND CITY RETIREMENT PLAN FOR GENERAL EMPLOYEES EFFECTIVE JANUARY 1, 1990 AND ADOPTED BY ORDINANCE NO. 89-19; PROVIDING COUNCILPERSONS WITH EX-OFFICIO DUTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE", was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SPIEGEL ON FIRST READING BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SMITH to AMEND ORDINANCE NO. 2009-27 TO REFLECT THE MODIFICATIONS BELOW AND TO APPROVE ORDINANCE NO. 2009-27 AS AMENDED ON FIRST READING, BY TITLE ONLY.

1. LINE 5 OF PROPOSED SECTION 2-62.4 AMENDED TO READ:
 "... WHEREUPON ~~THE CITY COUNCIL SHALL CHOOSE HIS/HER SUCCESSOR~~
HIS/HER SUCCESSOR SHALL BE CHOSEN IN THE SAME MANNER AS AN
 ORIGINAL APPOINTMENT."

MOTION CARRIED.

WITH THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES
COUNCILWOMAN SPIEGEL	YES

COUNCILWOMAN SMITH	YES	(VOTE: 7 YES:
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party (ies) Appearing:

1. MUBARAK KAZAN
15564 N.E. 12 AVE
NORTH MIAMI BEACH, FL
-

C. ORDINANCES - SECOND AND FINAL READING

Ordinance No. 2009-18

AN ORDINANCE AMENDING CHAPTER X OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED SUBDIVISION AND FLOODPLAIN STANDARDS; UPDATING THE LANGUAGE TO BE CONSISTENT WITH THE FLORIDA MODEL FLOOD DAMAGE PREVENTION ORDINANCE AND TITLE 44, CODE OF FEDERAL REGULATIONS; DESIGNATING THE COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE AS THE FLOODPLAIN ADMINISTRATOR; ESTABLISHING INTERDEPARTMENTAL ADMINISTRATIVE REQUIREMENTS, DEFINING TERMS; PROVIDING FOR ONE FOOT OF FREEBOARD IN REQUIRED FLOOR ELEVATIONS; UPDATING THE BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD TO THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS; AND MAKING SUCH OTHER AMENDMENTS AS MAY IMPROVE THE CITY'S STANDING IN THE COMMUNITY RATING SYSTEM, AND ENSURE COMPLIANCE WITH FEDERAL REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

ITEM DEFERRED (SEE PAGE 1).

15. CITY COUNCIL COMMITTEE REPORTS

A. VICE MAYOR PIERRE:

1. VICE MAYOR PIERRE WISHED EVERYONE A GOOD MORNING. THE VICE MAYOR STATED THAT HE WANTED TO SAY THANK YOU ONCE AGAIN TO THE RESIDENTS FOR COMING OUT AND SHARING THEIR VIEWS ON MATTERS OF IMPORTANCE TO THEM. EVEN THOUGH THE RESOLUTION DID NOT YIELD THE RESULTS HE EXPECTED, HE BELIEVES THIS RESOLUTION HAS ACCOMPLISHED SOMETHING GREAT, WHICH IS BRINGING TRANSPARENCY IN LOCAL GOVERNMENT. THANK YOU ONCE AGAIN FOR COMING OUT.
2. VICE MAYOR PIERRE STATED THAT AS AN ELECTED OFFICIAL, AS A GOODWILL AMBASSADOR BEING A COUNCILPERSON IN THE CITY OF NORTH MIAMI BEACH, HE WAS INVITED TO GO TO WASHINGTON D.C. THIS PAST WEEKEND TO DISCUSS ITEMS OF INTEREST RELATED TO U.S.-HAITI RELATIONS AND OTHER ISSUES OF NATIONAL IMPORTANCE. AMONG THEM

WERE THE COMPREHENSIVE IMMIGRATION REFORMS AND MEETING WITH A MAJOR HEALTH PARTNER. HE STATED THAT HE ALSO TOOK THE OPPORTUNITY TO LOBBY THE MEMBERS OF CONGRESS TO BRING MORE DOLLARS TO THE CITY FOR PROGRAMS THAT ADDRESS CRIME ISSUES AND JUVENILE DELINQUENCY.

3. VICE MAYOR PIERRE STATED THAT EARLIER TONIGHT WHILE DISCUSSING RESOLUTION NO. R2009-57 AND 57A HE MADE A COMMENT REGARDING GIVING HIS INSURANCE PORTION, ANTICIPATING THAT HE WOULD ACCOMPLISH SOMETHING BENEFICIAL TO THE RESIDENTS. DURING THE BREAK HE WAS INFORMED THAT THERE IS AN OPINION RENDERED BY THE ATTORNEY GENERAL WHERE YOU HAVE TO TAKE IT OR COLLECT IT. IN LIGHT OF THIS OPINION HE WISHED TO RESCIND HIS PRIOR COMMENT.
4. VICE MAYOR PIERRE REMINDED EVERYONE THAT NOVEMBER 11TH IS VETERANS' DAY. HE STATED THAT HE EXPECTED EVERYONE TO COME OUT AND SHOW RESPECT AND GRATITUDE TO OUR VETERANS. THE CEREMONY WILL BE HELD AT 10:00 A.M. ON WEDNESDAY, NOVEMBER 11TH, AT THE REGULAR PLACE BEHIND THE LIBRARY. HE REQUESTED THAT EVERYONE PLEASE BE THERE. THE VICE MAYOR STATED TO HIS VETERANS, HATS OFF TO YOU. THANK YOU ALL FOR YOUR ATTENTION; GOODNIGHT.

B. COUNCILWOMAN SPIEGEL:

1. COUNCILWOMAN SPIEGEL APOLOGIZED TO THE GENTLEMEN FROM TORAS EMES FOR LEAVING IN THE MIDDLE OF THEIR HEARING ON OCTOBER 20TH. IT WAS WELL PUBLISHED THAT SHE NEEDED TO LEAVE EARLY; AND, IN FACT, SHE LEFT A HALF AN HOUR LATER THAN SHE INTENDED TO, TO GO TO PENSION TRAINING SCHOOL. THE COUNCILWOMAN STATED THAT IT IS DIFFICULT MATERIAL TO MASTER; IT IS ESOTERIC. THE SCHOOL WAS HELPFUL, BUT MAINLY IN CREATING MORE QUESTIONS. ALL SHE COULD TELL EVERYONE IS THAT SHE IS GOING TO TRY HER BEST. IT WAS FOR HER TWO DAYS BECAUSE SHE HAD TO BE BACK DOWN AND IN TRIAL FRIDAY MORNING; TWO DAYS OF LOTS AND LOTS OF INFORMATION. NO PARTICULAR SOLUTIONS ON FUNDING WOES. SHE TOLD EVERYONE THAT APPARENTLY WE ARE NOT THE ONLY MUNICIPALITY THAT HAS FUNDING WOES RIGHT NOW. SHE ALSO TOLD EVERYONE THAT THE GENERAL ATTITUDE OF THE FIREFIGHTERS AND THE POLICE IS, IT'S THE GOVERNING BODIES' PROBLEM TO FIX. SHE STATED THAT SHE DOESN'T KNOW WHERE THAT LEAVES US, BUT THAT WAS THE GENERAL TENOR AND SHE WAS NOT SURE THAT OUTSIDE OF COUNCILMAN JULIEN AND HERSELF THERE WERE TOO MANY OTHER NON-FIREFIGHTER, NON-POLICE ATTENDEES, BUT WE'RE TRYING.
2. COUNCILWOMAN SPIEGEL STATED THAT SHE WANTED TO GIVE A SHOUT-OUT, A HARDY CONGRATULATIONS, TO OUR MANAGER, OUR PARKS AND RECREATION DEPARTMENT. SHE WAS AT THE MONSTER MASH ALONG WITH COUNCILWOMAN KRAMER AND COUNCILWOMAN SMITH FOR ALMOST TWO HOURS. IT WAS A GREAT, FUN EVENT; WELL RUN. THE HAUNTED HOUSE WAS TERRIFIC AND IT IS ONE OF THE THINGS THAT THIS CITY SHOULD BE REALLY PROUD OF; THE PROJECTS THAT OUR PARKS AND

RECREATION DEPARTMENT DOES. TO CREATE A SAFE ENVIRONMENT FOR CHILDREN TO ENJOY HALLOWEEN, IT WAS TERRIFIC.

3. COUNCILWOMAN SPIEGEL STATED THAT SHE ALSO WANTED TO GIVE A SHOUT OUT TO OUR MANAGER AND HIS STAFF FOR GETTING THE MIAMI-DADE FIRE RESCUE. THE COUNCILWOMAN STATED THAT THE MANAGER DIDN'T SHARE WITH THE PUBLIC, SO SHE WAS GOING TO SHARE THAT MIAMI-DADE FIRE RESCUE HAS DECIDED TO HAVE A FULL THREE PERSON CREW STAFFING THE EASTERN SHORES FIRE RESCUE. THIS IS A HUGE IMPROVEMENT OVER WHAT WE HAD AND SHE WAS HAPPY THAT WE WERE ABLE TO ACCOMPLISH THAT. SHE THANKED THE CITY MANAGER FOR HIS EFFORTS AND THANKED COMMISSIONER HEYMAN FOR HER HELP.
4. COUNCILWOMAN SPIEGEL THANKED ALL THE VETERANS IN OUR CITY FOR ALL THEIR SERVICE AND STATED THAT SHE LOOKED FORWARD TO SEEING THEM ON VETERANS' DAY.
5. COUNCILWOMAN SPIEGEL WISHED COUNCILWOMAN KRAMER A HAPPY BIRTHDAY.
6. COUNCILWOMAN SPIEGEL THANKED ALL OF THE RESIDENTS WHO CAME OUT, WHO CONTACTED US, AND PARTICIPATED. IT IS TERRIFIC THAT YOU CARE ENOUGH TO PARTICIPATE. PLEASE KEEP COMING; PLEASE KEEP TELLING US. EVERYBODY HAVE A GOODNIGHT.

C. COUNCILWOMAN SMITH:

1. COUNCILWOMAN SMITH WISHED TO STATE THAT THE HALLOWEEN MONSTER MASH IS SOMETHING THAT SHE GIVES UP HER ANNIVERSARY AND LEAVES HER HUSBAND HOME TO FEED. SHE GUESSED THAT SHE HAD ABOUT 200 KIDS COME TO HER HOUSE THIS YEAR. IT'S NOT THAT HE HAS TO MANAGE THE THREE BOXERS AS WELL. THE COUNCILWOMAN WANTED TO TELL EVERYONE THAT SHE STOOD THERE FOR OVER AN HOUR COLLECTING MONEY AND IT DID NOT STOP; TEN, TWELVE DEEP IN TWO LINES WITH SUCH HAPPINESS. THERE WERE SO MANY STATIONS. THERE WAS SOME FOR DIFFERENT AGES, DIFFERENT LEVELS. THE PARENTS CAME DRESSED UP. THE STAGE WAS GOING WITH THE MUSIC, WITH THE CANDY AT THE STATIONS. IT WAS A SAFE ENVIRONMENT. COUNCILWOMAN SMITH STATED THAT WHEN SHE TOLD EVERYONE ABOUT IT TWO WEEKS AGO, THAT IT WAS \$4.00 AND YOU GET \$20.00 WORTH OF ENTERTAINMENT. SHE WAS WRONG. IT WAS \$4.00 AND YOU GOT \$40.00 WORTH OF ENTERTAINMENT. SHE TOLD EVERYONE TO PARTICIPATE IN NORTH MIAMI BEACH'S FUNCTIONS BECAUSE THEY ARE GETTING BETTER, EACH AND EVERYONE OF THEM, AND EVERY YEAR IT IS JUST GROWING.
2. COUNCILWOMAN SMITH REMINDED EVERYONE THAT ON FRIDAY IT'S THE SENIOR LUNCH. PLEASE PARTICIPATE; COME, WE ARE GOING TO TRY TO RECRUIT SOME MORE PEOPLE FOR OUR SENIOR COUNCIL.
3. COUNCILWOMAN SMITH STATED THAT THEY SAID AT THE PRE-COUNCIL THAT ACROSS THE STREET AT THE FIRE STATION ON FRIDAY, AT 10:30 IN

THE MORNING, WE ARE GOING TO HAVE A CEREMONY, SHE ASSUMED, FOR OUR RESCUE. PART OF THAT WOULD BE FOR THE RESCUE IN EASTERN SHORES. COUNCILWOMAN SMITH ASKED THE CITY MANAGER WHAT THAT WAS ABOUT. THE CITY MANAGER RESPONDED THAT THERE IS A SPECIAL FIREFIGHTER THAT IS DEALING WITH AN ILLNESS; SO, THEY ARE DOING SOMETHING IN RECOGNITION OF HER. COUNCILWOMAN SMITH ASKED THE CITY MANAGER IF THEY WERE GOING TO HAVE A FUNDRAISER WITH IT. THE CITY MANAGER REPLIED THAT THERE WOULD BE. COUNCILWOMAN SMITH ASKED EVERYONE TO BE SUPPORTIVE, PLEASE COME. IF YOU CAN'T COME ON FRIDAY AND YOU WANT TO GIVE A LITTLE SOMETHING; MAYBE, PERHAPS, DROP IT OFF AT THE CITY DOWNSTAIRS, THEY WILL MAKE SURE THE RIGHT PERSON GETS IT. IF WE ALL PARTICIPATE TOGETHER AND HELP EACH OTHER, SHE THINKS THAT JUST THAT WILL MAKE SUCH A BETTER CITY.

4. COUNCILWOMAN SMITH ALSO WANTED TO THANK THE VETERANS AND THE VETERANS FAMILIES, FOR THE MOTHERS AND FOR THE WIVES AND FOR THE CHILDREN AND FOR THE HUSBANDS, THAT GIVE THEIR SPOUSES SO THAT WE CAN ALL LIVE IN A FREE COUNTRY AND KNOW THAT WE'LL ALWAYS BE SAFE HERE. THE COUNCILWOMAN ASKED EVERYONE TO PLEASE COME TO THAT VETERANS EVENT. WE SHARE IT WITH SOME OTHER CITIES THAT DON'T DO THEIR OWN AND IT'S JUST A WONDERFUL MORNING THAT WE REMEMBER. WE SHOULD PROBABLY DO THAT EVERY MORNING OF OUR LIVES; REMEMBER AND THANK THEM.
5. COUNCILWOMAN SMITH STATED THAT SHE ALSO WANTED TO MAKE NOTE THAT THERE IS GOING TO BE, TOMORROW AT THE AVENTURA HOSPITAL, A MEETING IN REFERENCE TO, HOPEFULLY GOD WILLING WE WILL NEVER HAVE TO USE IT BUT IF A DISASTER COMES, HOW WE COULD RECOUP. WITH THAT, SHE WISHED EVERYBODY A WONDERFUL DAY TODAY, BEING THAT IT IS ALREADY STARTED. SHE WANTED TO THANK THE PEOPLE THAT STAYED, THE PEOPLE THAT PARTICIPATED; AND, SHE WANTED TO WISH COUNCILWOMAN KRAMER A HAPPY BIRTHDAY, AND MANY MORE.

D. COUNCILMAN JULIEN:

1. COUNCILMAN JULIEN WISHED COUNCILWOMAN KRAMER A HAPPY BIRTHDAY. COUNCILMAN JULIEN STATED THAT SEVERAL PEOPLE SAID DIFFERENT THINGS, BUT ONE OF THEM HE WOULD LIKE TO COMMENT ON. ANYONE THAT THINKS THAT BEING UP HERE, WHETHER IT'S IN THE CITY OF NORTH MIAMI BEACH OR ANY OTHER CITY AS AN ELECTED OFFICIAL, IF YOU THINK THAT IT'S A PART-TIME JOB, HE WELCOMED AND INVITED EACH AND EVERY SINGLE ONE OF THEM TO RUN FOR OFFICE. HE STATED THAT HE HOPED TO GOD THAT THEY WIN, BECAUSE ONCE YOU GET SWORN IN YOU WILL REALIZE THAT YOU WERE WRONG ABOUT A LOT OF THINGS. EVERYONE THAT'S UP HERE, HE THINKS, WE'RE RESPONSIBLE ADULTS. IF YOU TRY TO LIMIT A PERSON'S TRAVEL EXPENSES THEN YOU BASICALLY ARE DOING THE CITY AND YOURSELF AN INJUSTICE. HE USED TO BE ON AND VERY ACTIVE WITH THE BOARDS OF THE FLORIDA LEAGUE OF CITIES AND THE NATIONAL LEAGUE OF CITIES AND HE HAS GIVEN ALL OF IT UP BECAUSE THERE COMES A POINT IN TIME WHERE YOU JUST HAVE TO BE AN

ADULT. HE HAS MADE THAT CONSCIOUS DECISION BECAUSE HE FELT THAT IT WAS BEST IF HE NOT TRAVEL SO THAT OTHER PEOPLE CAN GAIN IN THE KNOWLEDGE THAT HE HAS EARNED AND LEARNED FROM GOING TO THESE VARIOUS FUNCTIONS. EVERYONE THAT GOES AWAY TO, WHETHER IT BE TO TALLAHASSEE OR WASHINGTON OR WHEREVER IT IS THAT YOU HAPPEN TO GO, YOU COME BACK HOME WITH SOMETHING. IF YOU THINK THAT ONE OF US UP HERE IS GOING TO GO TO WASHINGTON BECAUSE WE WANT A \$55.00 A DAY PER DIEM AND THAT'S WHAT WE LIVE FOR, YOU ARE SO SADLY MISTAKEN. COUNCILMAN JULIEN STATED THAT IF YOU THINK THAT HE WANTS TO LIVE OUT OF A SUITCASE SO THAT HE CAN WASTE THE TAXPAYERS DOLLARS, AGAIN YOU'RE SADLY MISTAKEN. AGAIN HE WELCOMED AND INVITED EACH AND EVERY SINGLE ONE OF THEM TO RUN FOR OFFICE AND HE HOPES THEY WIN BECAUSE THEY'LL COME TO A NEW UNDERSTANDING OF WHAT BEING AN ELECTED OFFICIAL IS ALL ABOUT.

2. COUNCILMAN JULIEN WISHED TO THANK THE VETERANS FOR THEIR SACRIFICES. HE THANKED THEIR FAMILIES FOR THEIR SACRIFICES. IT'S BECAUSE OF THE VETERANS THAT A LOT OF THE INDIVIDUALS THAT GET UP AT VARIOUS MEETINGS CAN CALL US NAMES AND WRITE LETTERS TO THE EDITOR. IT'S BECAUSE OF THEIR SACRIFICE THAT WE HAVE THE FREEDOMS THAT WE TAKE FOR GRANTED TODAY. MAY GOD BLESS YOU ALL.; AND, GOOD MORNING.

E. COUNCILMAN DEROSE:

1. COUNCILMAN DEROSE WISHED EVERYONE A GOOD MORNING. HE STATED THAT IT'S GETTING LATE SO HE WAS NOT GOING TO TAKE TOO LONG. HE WANTED TO REMIND OUR CITIZENS THAT THE BEAUTIFICATION COMMITTEE IS STILL LOOKING FOR A FEW GOOD APPLICANTS WILLING AND ABLE TO SERVE. PLEASE, APPLICATIONS CAN BE OBTAINED AT THE 4TH FLOOR MAYOR AND COUNCIL. PLEASE VOLUNTEER YOURSELF; GET INVOLVED. WE NEED SOME VOLUNTEERS. HE BELIEVES THAT THERE ARE SOME OTHER BOARDS AS WELL WHO ARE LOOKING FOR SOME FEW VOLUNTEERS. PLEASE CALL AND GET INVOLVED.
2. COUNCILMAN DEROSE STATED THAT HE WAS ALSO IN WASHINGTON D.C. WITH HIS COLLEAGUE VICE MAYOR PIERRE. COUNCILMAN DEROSE STATED THAT HE MUST SAY, YOU KNOW, THAT IT WAS A VERY NICE MEETING. WE LEARNED A LOT. WE LEARNED HOW TO REALLY LOBBY OUR ELECTED OFFICIALS IN D.C. AND ALSO HOW TO BETTER SERVE OUR LOCAL GOVERNMENT. IT WAS A REALLY NICE TRIP AND HE WAS VERY DELIGHTED TO TRAVEL FOR THE WEEKEND. COUNCILMAN DEROSE WISHED COUNCILWOMAN KRAMER A HAPPY BIRTHDAY; AND, STATED THANK YOU AND GOOD NIGHT.

F. COUNCILWOMAN KRAMER:

1. COUNCILWOMAN KRAMER STATED THAT SHE ALSO WANTED TO THANK THE CITIZENS FOR COMING OUT THIS EVENING. SHE HAS SPOKEN TO MANY IN THE COMMUNITY PRIOR TO THIS EVENING REGARDING RESOLUTION NO. R2009-57 AND SHE APPRECIATES MANY OF THE SUGGESTIONS THAT WERE

GIVEN TO HER.

2. COUNCILWOMAN KRAMER STATED THAT SHE ALSO ATTENDED THE CITY'S MONSTER BASH AT THE GWEN MARGOLIS AMPHITHEATER ON HALLOWEEN. SHE HEARD A LOT ABOUT THIS EVENT BUT NEVER ATTENDED. SEE SAID IT WAS GREAT. SHE ENJOYED WATCHING ALL THE CHILDREN AND THEIR PARENTS DRESSED IN THEIR COSTUMES AND HAVING A GREAT TIME. THE HAUNTED HOUSE WAS CREATIVE AND VERY SCARY. SHE STATED THAT SHE TOOK PLEASURE IN SEEING HER CITY SHINE. SHE THANKED THE LEISURE SERVICES DEPARTMENT FOR PUTTING TOGETHER A WONDERFUL EVENT.
3. COUNCILWOMAN KRAMER ALSO WANTED TO LET THE CITIZENS KNOW THAT SHE IS EXCITED TO INFORM EVERYONE THAT SHE IS COORDINATING A COMMUNITY CONNECT SERIES OF TOWN HALL MEETINGS, WHICH WILL PROVIDE THE COMMUNITY WITH USEFUL INFORMATION ABOUT THE COURT PROCESS. THE DISCUSSION INCLUDES ISSUES RELATING TO MORTGAGE FORECLOSURES, LANDLORD-TENANT ISSUES, DOMESTIC VIOLENCE, CHILD SUPPORT, AND MAY OTHER TOPICS. THE PANEL WILL CONSIST OF JUDGES; SO, OUR COMMUNITY WILL BE ABLE TO HAVE THE OPPORTUNITY TO ASK QUESTIONS OF THE JUDICIARY REGARDING THESE ISSUES. THIS EVENT WILL TAKE PLACE, HOPEFULLY, IN JANUARY. WE ARE STILL COORDINATING EVERYTHING; BUT, WE WILL EFFECTIVELY ADVERTISE IT BECAUSE SHE REALLY WANTS THE COMMUNITY TO COME OUT AND TAKE PART IN SOMETHING THAT THEY WOULD NOT NORMALLY HAVE IN FRONT OF THEM. SHE THINKS THIS WILL BE A GREAT SERVICE FOR OUR RESIDENTS AND, AGAIN, SHE WILL KEEP EVERYONE POSTED.
4. COUNCILWOMAN KRAMER STATED THAT SHE ALSO LOOKED FORWARD TO BEING AMONGST OUR COUNTRY'S HEROES ON VETERANS' DAY; SHE WILL SEE THEM NEXT WEDNESDAY. SHE WANTED TO WISH HER GOOD FRIEND JONAH A HAPPY BIRTHDAY, THE DAY AFTER HERS. HE IS RIGHT THERE IN THE AUDIENCE; HAPPY BIRTHDAY. THE COUNCILWOMAN WISHED EVERYONE A GOOD MORNING.

G. MAYOR ROSNER:

1. MAYOR ROSNER WISHED EVERYONE GOOD MORNING, AND A HAPPY BIRTHDAY TO COUNCILWOMAN KRAMER. MAYOR ROSNER STATED THAT HIS FAMILY WAITED TILL SHABBAT WAS OVER AND THEY WENT TO THE CITY'S MONSTER MASH BASH. HE GUESSED THEY FINISHED THE LAST TWO HOURS BECAUSE THEY CLOSED IT OUT. HE WANTED TO CONGRATULATE THE CITY MANAGER AND THE COMMUNITY REDEVELOPMENT AGENCY FOR MOVING IT FROM ALLEN PARK TO THIS VENUE. IT WAS AN OPPORTUNITY FOR US TO SHOW OUR NEW AMPHITHEATER OFF. THE LIGHTS WERE FANTASTIC. THE SECURITY; THANK YOU CHIEF FOR PROVIDING THE EXPLORERS. THE MAYOR STATED THAT HE COUNTED ABOUT A DOZEN EXPLORERS WITH WALKIE-TALKIES DOING THE PERIMETER. SECURITY WAS INCREDIBLE. YOU KNEW THAT YOUR CHILD WAS SAFE, INCLUDING THE ADULTS. A LOT OF PEOPLE WERE JUST REALLY, REALLY PLEASED WITH THE EVENT. SO, CONGRATULATIONS TO ALL LEISURE SERVICES AND THE

CITY MANAGER'S STAFF.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH WAS ADJOURNED AT 12:40 A.M. ON A MOTION by COUNCILMAN DEROSE, SECONDED by COUNCILWOMAN SMITH. MOTION CARRIED.

CERTIFICATION

I, SUSAN A. OWENS, CITY CLERK OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES, PAGES ONE (1) THROUGH PAGE TWENTY (20) INCLUSIVE, TO BE THE OFFICIAL RECORD OF THE CITY COUNCIL PROCEEDINGS AS TAPE RECORDED AT THE REGULAR CITY COUNCIL MEETING OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, HELD ON THE THIRD (3RD) DAY OF NOVEMBER, 2009.



SUSAN A. OWENS, CMC,
CITY CLERK
CITY OF NORTH MIAMI BEACH

(SEAL)