

MINUTES

OF THE
REGULAR
CITY COUNCIL MEETING

DECEMBER 15, 2009



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

DECEMBER 15, 2009 MEETING MINUTES

(CNMB-CC MINUTES TAPE #431)

1. ROLL CALL OF THE CITY OFFICIALS

The meeting was called to order at 7:45 P.M. Present at the meeting were Mayor Myron Rosner; Vice Mayor Frantz Pierre, Councilwomen Beth E. Spiegel, Phyllis S. Smith, and Barbara Kramer, and Councilmen John Patrick Julien and Philippe Derosé. Also present were City Manager Kelvin L. Baker, City Attorney Darcee S. Siegel, and City Clerk Susan A. Owens.

2. INVOCATION

The invocation was given by Reverend Marta Burke of Fulford United Methodist Church.

3. SALUTE TO THE AMERICAN FLAG

Mayor Rosner led the City Council in the Salute to the American Flag.

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA

The City Clerk announced that Item #5(E), Community Presentation, will be moved to the beginning of the agenda, Item #14(A), Ordinance No. 2009-22, is being withdrawn, Item #6(A), the November 17, 2009 Minutes, are being deferred, and Item #6(B), Resolution Nos. R2009-52A, R2009-77, and R2009-78, are being pulled from the Consent Agenda.

Motion made by Councilman Julien, seconded by Councilwoman Smith, to move out of order to consider Item #5(E), Community Presentation. In a voice vote, all voted in favor. (**Motion carried 7-0**).

5(E) COMMUNITY PRESENTATION BY COUNCILWOMAN SMITH AND MAYOR ROSNER

A Certificate of Appreciation and a copy of the City's History Book were presented to Retired Lieutenant Al Sturtz by Councilwoman Smith and Mayor Rosner for his contributions to the City of North Miami Beach.

5. PRESENTATIONS

A. SWEARING IN OF POLICE OFFICER WILLIAM HOBBS, JR. BY MAYOR MYRON ROSNER

Swearing In was performed by Mayor Rosner.

B. SWEARING IN OF POLICE SERGEANT NELSON REYES BY MAYOR MYRON ROSNER

Swearing In was performed by Mayor Rosner.

C. PRESENTATIONS, BY MAYOR MYRON ROSNER, TO OFFICER JOSE MARIN AS THE OUTSTANDING OFFICER FOR THE MONTH OF JUNE 2009, OFFICER CHRISTIAN LYSTAD AS THE OUTSTANDING OFFICER FOR THE MONTH OF JULY 2009, AND DETECTIVE CORA MANN AS THE OUTSTANDING OFFICER

FOR THE MONTH OF AUGUST 2009
Presentations were made by Mayor Rosner.

- D. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY COUNCILMAN FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO SUSAN SPARK AS THE EMPLOYEE OF THE MONTH FOR NOVEMBER 2009**

Presentation was made by Vice Mayor Pierre and the City Manager.

Councilwoman Smith requested a Moment of Silence in memory of Catherine Wall, who recently lost her fight against cancer, for her service to the City and its residents as part of the City's Fire Department. Mayor Rosner announced that he was told that there would be a memorial for Ms. Wall in January. The date will be announced at the following Council meeting.

6. CONSENT AGENDA

A. APPROVAL OF MINUTES

NOVEMBER 17, 2009- Item was deferred. (See page 1)
DECEMBER 1, 2009 (Deferred)

B. RESOLUTIONS

Resolution No. R2009-52A -- Item was pulled from Consent Agenda. (See page 1)

Resolution No. R2009-75 -- Item was pulled from Consent Agenda prior to approval.

Resolution No. R2009-76

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AN ANNUAL PLAN OF SERVICE FOR THE LIBRARY AND FORWARDING THE PLAN TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES.

Resolution No. R2009-77 -- Item was pulled from Consent Agenda. (See page 1)

Resolution No. R2009-78 -- Item was pulled from Consent Agenda. (See page 1)

Motion made by Councilman Julien, seconded by Councilwoman Kramer, to approve the Consent Agenda as amended. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Derose, seconded by Councilman Julien, to move back to the regular Order of Business. In a voice vote, all voted in favor. (**Motion carried 7-0**).

7. CITY MANAGER'S REPORT – KELVIN L. BAKER

Mr. Baker announced that Assistant City Manager Bernard McGriff will be providing an update on the 2010 Census initiatives.

Mr. McGriff reported that the City has established a bi-weekly Complete Count Committee to review the initiatives we are undertaking for the 2010 Census. Several sub-committees have been established: community-based, faith-based, education, multi-cultural, business, and media. The purpose of these committees is to develop partnerships with various organizations and individuals

within the community. Staff is going to churches and schools and passing out flyers and spreading the Census message. We will be producing a television program and will be making announcements on the radio as well. We have established and staffed an office at City Hall where citizens can call to get any additional information. That staff member is also calling individuals in the community to provide them with information. We are also currently advertising the Census job hotline, 1 (866) 861-2010, on our website.

8. CITY ATTORNEY'S REPORT – DARCEE S. SIEGEL

Ms. Siegel stated that her office is working on getting as many cases resolved before the end of the year. She took a moment to wish everybody a happy, healthy, and safe holiday season.

9. MAYOR'S DISCUSSION - MAYOR MYRON ROSNER

Mayor Rosner discussed the end of 2009. It has been a very tough year for a lot of people, including the City. He took a moment to acknowledge his colleagues as a part of a team that has taken this city forward. He looks forward to 2010. He took a moment to acknowledge the team members that participate with this Council, the City Manager, the City Attorney, the City Clerk, and the Police Chief. A lot of times it's a very tough job and nobody says thank you; so, he wished to take a moment to thank those individuals on behalf of his colleagues and himself for a job well done this year.

10. PUBLIC COMMENT

The following individuals appeared before the City Council to express their opinions and concerns:

Charles Loeb, 16800 NE 15 AVE. #112, North Miami Beach, FL, spoke regarding the Chamber of Commerce's Holiday event and public transportation projects.

Barbara Falsey, 3660 NE 166 ST, North Miami Beach, FL, spoke regarding Council compensation.

Joseph Paglino, 1270 NE 162 ST, North Miami Beach, FL, spoke regarding Bamboo Banquet Room, cleanliness of City, and recognizing Lt. Al Sturtz.

Bruce Lamberto, 3420 NE 165 ST, North Miami Beach, FL, spoke regarding previous administration issues, City Lobbyist, and a budget workshop.

Mubarak Kazan, 15564 NE 12 AVE, North Miami Beach, FL, spoke regarding the Police Department, selection of City auditors, creating rapport with Council reports, and Council compensation.

Allison Robie, 2131 NE 179 ST, North Miami Beach, FL, spoke regarding Council compensation, qualifying fees, school boundaries and School Board issues, and the Police Department.

11. MISCELLANEOUS ITEMS

A. MOTION TO APPROVE THE 2010 CITY COUNCIL MEETING SCHEDULE

Motion made by Councilwoman Smith, seconded by Councilwoman Kramer, to reschedule the April 6, 2010 City Council meeting to April 13, 2010. In a voice vote, with Mayor Rosner, Councilwoman Spiegel, and Councilman Julien dissenting, the motion passed. (**Motion carried 4-3**).

Motion made by Councilwoman Kramer, seconded by Councilwoman Smith, to reconsider approval of the 2010 City Council meeting schedule. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilwoman Smith, seconded by Councilwoman Kramer, to reverse the motion to reschedule the April meeting and to keep the City Council meeting scheduled for April 6, 2010. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilman Derose, to approve the City Council meeting schedule as presented. In a voice vote, all voted in favor. (**Motion carried 7-0**).

12. WAIVER OF FEE (None)

13. BUSINESS TAX RECEIPT MATTERS - CITY CLERK

- A. EWO PRODUCTIONS, INC.
d/b/a EWO POLE FITNESS STUDIO
2010 N.E. 164 STREET
NORTH MIAMI BEACH, FL 33162

KELVEN DAVIS, PRESIDENT
SHIRLINE MURDOCK, VICE PRESIDENT

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR A PRIVATE SCHOOL.

Motion made by Councilman Derose, seconded by Councilman Julien, to approve issuance of a Business Tax Receipt for EWO Productions d/b/a EWO Pole Fitness Studio. In a voice vote, all voted in favor. (**Motion carried 7-0**).

- B. HOLIDAY CHARITIES & PROMOTIONS, INC.
199 N.E. 167 STREET
900 N.E. 167 STREET
13885 BISCAYNE BOULEVARD
NORTH MIAMI BEACH, FL.

ROBERT GOLER, PRESIDENT

RE: REQUEST APPROVAL OF BUSINESS TAX RECEIPTS FOR THE SALE OF FIREWORKS AT: 199 N.E. 167 STREET AND 900 N.E. 167 STREET FROM DECEMBER 21, 2009 THROUGH DECEMBER 31, 2009 FROM 10:00 A.M. TO 10:00 P.M. AND 13885 BISCAYNE BOULEVARD FROM DECEMBER 23, 2009 THROUGH DECEMBER 31, 2009 FROM 10:00 A.M. TO 10:00 P.M.- 20% OF PROCEEDS TO STOP HUNGER, INC. (SUBJECT TO APPROVAL BY THE MIAMI-DADE COUNTY FIRE DEPT. AND PROHIBITED FROM CONDUCTING ANY SALE(S) WITHOUT PRIOR FIRE DEPT. APPROVAL AS ABOVE-DESCRIBED).

Motion made by Councilman Julien, seconded by Councilman Derose, to approve issuance of a Business Tax Receipt for Holiday Charities & Promotions, Inc. subject to the above referenced stipulations. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilman Derose, to move out of order to consider the Resolutions that were pulled from the Consent Agenda: R2009-52A, R2009-75, R2009-77, and R2009-78 (See pages 1 and 2). In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Resolution No. R2009-52A. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Resolution No. R2009-52A

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE MONETARY AMOUNT OF THE AGREEMENT BY \$1,107,600.00 FOR A TOTAL AGREEMENT AMOUNT OF \$4,929,615.00 WITH FLORIDA DESIGN CONTRACTORS, INC. TO REMOVE VOLATILE ORGANIC COMPOUNDS FROM THE NORWOOD-OEFFLER WATER TREATMENT PLANT WELL FIELD.

Motion made by Councilman Derose, seconded by Councilwoman Spiegel, to approve Resolution No. R2009-52A.

Motion made by Councilwoman Smith, seconded by Vice Mayor Pierre, to amend Section 1 of Resolution No. R2009-52A to read as follows, and to approve, as amended, Resolution No. R2009-52A.

“The Mayor and City Council of the City of North Miami Beach hereby amend the monetary award of bid #2009-14 to Florida Design Contractors, Inc., to increase the agreement amount by \$1,107,600.00 for a total agreement of \$4,929,615.00...”

In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilwoman Smith, to introduce Resolution No. R2009-75. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Resolution No. R2009-75

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE GENERAL FUND ALLOCATION OF MATCHING FUNDS AND IN-KIND SERVICES IN AN AMOUNT TOTALING \$20,000.00 FOR THE REPAIR AND RESTORATION OF THE FULFORD-BY-THE-SEA MONUMENT FROM THE STATE OF FLORIDA HISTORIC PRESERVATION SMALL MATCHING GRANTS-IN-AID GRANT PROGRAM.

Motion made by Councilman Derose, seconded by Councilman Julien, to approve Resolution No. R2009-75. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilwoman Smith, to introduce Resolution No. R2009-77. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Resolution No. R2009-77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, SUPPORTING THE USA SOCCER FEDERATION'S BID TO HOST THE WORLD CUP IN THE UNITED STATES IN EITHER 2018 OR 2022.

Motion made by Councilman Derose, seconded by Councilwoman Smith, to approve Resolution No. R2009-77.

Motion made by Councilwoman Smith, seconded by Vice Mayor Pierre, amend Resolution No. R2009-77 by replacing the word “Washington D.C.” with “Chicago, Illinois” in Section 2, and to approve, as amended, Resolution No. R2009-77. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Vice Mayor Pierre, to introduce Resolution No. R2009-78. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Resolution No. R2009-78

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, TO SUPPORT AND ENCOURAGE THE USA SOCCER FEDERATION AND THE USA BID COMMITTEE TO SELECT MIAMI AS THE CITY IN FLORIDA TO HOST THE WORLD CUP.

Motion made by Councilman Derosé, seconded by Councilwoman Smith, to approve Resolution No. R2009-78.

Motion made by Councilwoman Smith, seconded by Councilman Julien, to amend Resolution No. R2009-78 to replace the word "Washington D.C." with "Chicago, Illinois" in Section 2 and to approve, as amended, Resolution No. R2009-78. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Motion made by Councilman Julien, seconded by Councilwoman Smith, to move back to the regular Order of Business. In a voice vote, all voted in favor. (**Motion carried 7-0**).

14. LEGISLATION

A. ORDINANCES – FIRST READING, BY TITLE ONLY

Ordinance No. 2009-22 – Item was withdrawn. (See page 1)

Motion made by Councilman Julien, seconded by Councilwoman Smith, to introduce Ordinance No. 2009-31 on First Reading, by Title Only. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Ordinance No. 2009-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING ORDINANCE 2007-13 ENTITLED THE NORTH MIAMI BEACH DANGEROUS INTERSECTION SAFETY ACT BY CORRECTING SCRIVENER AND GRAMMATICAL ERRORS; AMENDING PARAGRAPH 13 REGARDING ADMINISTRATIVE CHARGES; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following individuals appeared before the City Council to express their opinions and concerns:

Joseph Paglino, 1270 NE 162 ST, North Miami Beach, FL

Mubarak Kazan, 15564 NE 12 AVE, North Miami Beach, FL

Motion made by Councilman Derosé, seconded by Councilwoman Smith, to approve Ordinance No. 2009-31, on First Reading, by Title Only. In a roll call vote, all voted in favor. (**Motion carried 7-0**)

The City Council discussed where the fines received from the North Miami Beach Dangerous Intersection Safety Act should be allocated. The City Council approved the City Manager's suggestion to allocate any revenues received over and above the budgeted amount of \$350,000.00 into a special account for possible litigation.

B. ORDINANCES – SECOND AND FINAL READING

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Ordinance No. 2009-18 for Second and Final Reading. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Ordinance No. 2009-18

AN ORDINANCE AMENDING CHAPTER X OF THE CODE OF 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.

The following individuals appeared before the City Council to express their opinions and concerns:

Roland Veilleut, 13730 Highland DR, North Miami Beach, F.

Marlen Martell, 17374 South Glades DR, North Miami Beach, FL

Mubarak Kazan, 15564 NE 12 AVE, North Miami Beach, FL

Allison Robie, 2131 NE 179 ST, North Miami Beach, FL

Charles Loeb, 16800 NE 15 AVE #112, North Miami Beach, FL

Motion made by Councilman Derose, seconded by Councilwoman Kramer, to adopt Ordinance No. 2009-18 on Second and Final Reading.

Motion made by Councilwoman Spiegel, seconded by Councilman Derose, to table Ordinance No. 2009-18 and to bring back to the January 5, 2010 meeting a color-coded ordinance explaining what is required to reach the 25% discount. In a roll call vote, all voted in favor. (**Motion carried 7-0**)

Motion made by Councilwoman Spiegel, seconded by Councilman Derose, to extend the meeting past midnight to complete the agenda. In a voice vote, all voted in favor. (**Motion carried 7-0**).

C. ORDINANCES - THIRD AND FINAL READING

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Ordinance No. 2009-29 on Third and Final Reading. In a voice vote, all voted in favor. (**Motion carried 7-0**).

Ordinance No. 2009-29

AN ORDINANCE AMENDING CHAPTER XII OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED LOCAL BUSINESS TAX RECEIPTS AND REGULATIONS; AMENDING SECTION 12-20 ENTITLED TOWING; EXTENDING

THE SITE LOCATION OF TOWED OR REMOVED VEHICLES; EXTENDING HOURS FOR RELEASE OF A VEHICLE TO AN OWNER; SUPPLEMENTING THE LANGUAGE OF THE RECEIPT GIVEN TO AN OWNER STATING THAT PAYMENT WAS MADE PRIOR TO RELEASE; REQUIRING THE TOWING COMPANY TO PROVIDE A SAFE PLACE FOR THEIR CUSTOMERS TO RETRIEVE VEHICLES AND REQUIRING THAT ALL DRUG TESTS ADMINISTERED TO TOW DRIVERS BE PAID FOR BY THE TOWING COMPANY AND THE RESULTS BE PROVIDED TO THE CITY; REQUIRING A PERMIT FROM THE CITY'S BUILDING DEPARTMENT FOR ALL EXISTING AND NEW SIGNAGE, AND INCREASING THE PERMIT FEE; PROVIDING FOR THE RATES OF TOWED OR REMOVED VEHICLES NOT TO EXCEED ANY RATES SET BY MIAMI-DADE COUNTY TOWING ORDINANCE; REQUIRING PROOF OF ALL DRIVERS' DRIVING LICENSES, CRIMINAL HISTORY AND DRUG SCREENING TESTING, DISALLOWING UNAUTHORIZED SIGNAGE ON THE TOWING VEHICLES; AMENDING PENALTY SECTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

The following individuals appeared before the City Council to express their opinions and concerns:

Mubarak Kazan, 15564 NE 12 AVE, North Miami Beach, FL
Allison Robie, 2131 NE 179 ST, North Miami Beach, FL
Charles Loeb, 16800 NE 15 AVE #112, North Miami Beach, FL

Motion made by Councilman Julien, seconded by Councilman Derosé, to adopt Ordinance No. 2009-29. In a roll call vote, all voted in favor. (**Motion carried 7-0**).

15. CITY COUNCIL COMMITTEE REPORTS

A. VICE MAYOR PIERRE

GOOD WISHES. Good morning North Miami Beach. As we come to the close of 2009, I would like to take this opportunity to reflect on some of our accomplishments and the challenges that lay ahead. Due to time consuming, I don't think it's appropriate for me to do that tonight; but, I simply want to thank everyone who call us, who talk to us, who make recommendation. That's the way it should work. We are here to serve you and we'll be looking forward to serving you again in 2010. Happy holidays, stay safe, and I will see you in 2010. Thank you.

B. COUNCILWOMAN SPIEGEL

GOOD WISHES. This is one of my favorite times of year; and, it's because people are walking around happier, hopefully thinking more about their fellow men and women, the neighbors. I'd like to encourage everybody to have a happy holiday season, whatever holiday you may celebrate. To be kind, be generous, be loving. Enjoy your family, your friends. Think positively about the New Year. Have a great New Year. For those of you who came here tonight and actually said nice things to us as the Council, we appreciate that because we work very hard for you. On behalf of my fellow Council Members, I'm telling you we're going to continue that into 2010. We are here for you. Happy holidays, happy new year, see you next year.

C. **COUNCILWOMAN SMITH**

GENERAL COMMENTS. Good morning everybody. I hope that most of you are watching this during the day and taped it, or rerun, because I do have a few messages. I want to thank the Manager and the Police Chief again for pulling that off tonight. It was an honor to recognize Al Sturtz. HE does, and continues to do, a lot for this city.

TRANSPORTATION MEETING. I just wanted to say quickly that not only did I go to the transportation meeting also in Miami Shores; but, I put on record every time I go. They actually have a court reporter there and I put on record every time I go, in case they build this when I have passed on to a different world. I want it to be known that we need that transport hub here in North Miami Beach. So, I went up to the court reporter, I took our time on behalf of the MAYOR and the Council, on behalf of the management, that we're making plans with our CRA to build something. We're the only city besides Hallandale that has so much traffic that goes from the expressway in this end of Dade County to the ocean and it's a necessity. So, that's on record for us as a city.

SCHOOL BOARD MEETING. I want to also mention that the school board program, tomorrow is a very important meeting at our city. I believe it's at 4:00 P.M.. That meeting is imperative. If you can, it's imperative every single meeting that you go to. When we go down to the School Board that, and it's not Eastern Shores, this is a North Miami Beach Meeting. Some of my fellow council people said why are you going to Krop? Why? Because Skylake is in North Miami Beach and they too are having their boundaries moved. The difference is, those children that are going to be affected in North Miami Beach even though they have to change schools from the new Aventura Waterways School to the, from Virginia Boone. Those children are very, Virginia Boone/Highland Oaks, are very close to that school. They are almost within walking distance. They just changed the boundaries around. The children that happen to live in North Miami Beach that are affected in Eastern Shores are going to go more than double from three schools, in transportation. There are three schools that are half the distance. So, tomorrow the meeting at 4:00 P.M. is to put together an alternative to what the School Board is suggesting. It's imperative that we get that out because, guess what, it has to be in five days before they close and they are closing for the School board before they close the requirement, which is January 8TH. There are no five days because they are closed for Christmas. This alternative school plan that we want to put forth for Dade County has to be done by Friday. There is no other time. It has to be done by Friday, and the truth is, as Councilwoman Spiegel said last night, when she had a presentation and she at that time i couldn't talk because it wasn't in the sunshine. But sitting here tonight we can discuss, and there's no discussion necessary. The only thing you need to do is be there at 4:00 P.M. for your input to help us have an alternative plan; because, if we go to the School Board with the alternative plan to just wait for one year, they may say we can't wait and your kids are going to move and that's it. So, we need this tomorrow and then we need everybody at that SCHOOL BOARD. Everybody, in a shirt and standing there, with their cousin, with their grandparent, anybody, anybody that they can bring. Bring bodies and have them stand there when the School Board meets. It will be posted when on our Channel 77. If you can't get Channel 77 because you don't have it, call the city and they will tell you when the School Board is going to meet. It's imperative.

POLICE OFFICER PROMOTIONS. I also want to mention, and with great pleasure, that I had the opportunity to go with the Police Chief, was kind enough to invite us and we have had two of our police officers be promoted. Sergeant Rand and his family and his beautiful baby, and no the baby wasn't named after his second wife, we got that straight. They announced it then, beautiful baby. And of course Nelson Reyes. We are proud as a city. It was a wonderful, proud moment to be there and to hear the accomplishments. It was wonderful, so i want to mention that.

SNOWFEST. How do I thank the Recreation Department? The Snowfest, the Police Chief with his, you know they said do you want to be in the crime parade, please RSVP. I RSVP'D thinking okay we're going to march like we did for crime prevention. But it wasn't that. It was the most unbelievable parade with Santa on a fire truck; and, guess who Santa brought with him? Mrs. Santa Claus. The parade is going to get bigger and better and it re-emphasizes that we do not tolerate any crime in North Miami Beach and that we are a community. If you could've seen how many kids were on that sidewalk waving to us, begging for the candy. It was fabulous. I know it's early in the morning, but these are important things that our city is doing for you. Come and participate. It was a wonderful, wonderful evening and I have to tell you the spirits were very high. It was really holiday spirits.

GOOD WISHES. I just also want to say that, because of the late hour, thank goodness I said that Economic Development and the forum meeting that I always hold and the seniors will be delayed until January. Let everybody enjoy the holiday. I will be back in seven hours for my next meeting. I do want to wish a Happy Kwanzaa, Merry Christmas, and the rest of the Hanukah and a happy, healthy new year to everyone. So come back next year. It's only going to get better. Thank you. Goodnight.

D. COUNCILMAN JULIEN

GOOD WISHES. Good morning to everyone. I would like to very briefly thank the members of the Commission on The Status of Women for collecting toys for our Police Department's toy drive, which of course is piled up in my office, which I'm going to have to deliver to the Police Department. Also, I would like to wish everyone a Merry Christmas, Happy Hanukah, happy new year. May God Bless you all. God willing, we'll see you next year.

E. COUNCILMAN DEROSE

SYMPATHIES. Good morning everyone. Well, I want to seize this opportunity to express my heartfelt sympathies to the family of Catherine Wall. As you know Councilwoman Smith, when Miami-Dade County dedicated that Fire Rescue to the name of Catherine Wall, I was there taking picture with her, you too, and her family. You know, it touched me; but, I hope, you know, her soul rest in peace in the hands of God.

GOOD WISHES. I want to wish everyone Merry Christmas and Happy New Year. May the year 2010 bring happiness to everyone's life. May our city change to better. May our cities prosper, vibrant, and we all can work together to improve the quality of life of the

citizens of North Miami Beach. I want, you know, the 2010, I mean, bring fresh air to all of us. May God Bless every one of you. Thank you.

F. COUNCILWOMAN KRAMER

GOOD WISHES. Good morning everyone. I just want to wish everyone a very happy and healthy holiday, a happy and healthy new year, a prosperous new year. Look forward to 2010. I want the citizens to realize that we do know your concerns and we do have some issues that are still pending; and, you have my word that those issues will be addressed. Please don't concern yourself, we listen to you and we will do what we need to do to make us all come together and be the great community that we are. Have a good night.

G. MAYOR ROSNER

LIGHTING CEREMONY. Good morning; waffles and eggs at my colleagues house, right? Downstairs we had a beautiful ceremony hosted by the Moses and Aaron Foundation. It's the fifth night of Hanukah. We had the honor of having Mayor Carlos Alvarez as our host. Well, not so much as our host, but as a, I guess he was our host. As our host he honored, we had several honorees. I was privileged to give out my first Key to our City to Mayor Alvarez who continues to play a great part and help us in our city. I look forward to a continued relationship next year; and, it was a very beautiful ceremony.

SNOWFEST. The police parade, the Snowfest, great events. I look forward to a council float or something a little more organized for our council. We felt a little lost, other than the Councilwoman who somehow found herself a seat in something. We spoke to Parks and Recreation, or Leisure Services, and I believe that we are going to find ourselves a spot in that parade.

CANDLE LIGHTING. Tomorrow, I believe, there is something at the 163RD STREET Mall. Candle lighting at 5:00 P.M. at the 163RD Street Mall. Everybody is invited.

GOOD WISHES. I look forward as well to working together with our community, our staff, my colleagues; and, to wish everyone a happy, healthy new year.

Mayor Rosner announced that the next Regular Meeting of the City Council will be on Tuesday, January 5, 2010.

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 12:38 A.M. on a motion by Councilman Derose, seconded by Vice Mayor Pierre. In a voice vote, all voted in favor. **(Motion carried 7-0)**

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 ELEVEN (11) 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 15TH DAY OF DECEMBER, 2009.



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

(S E A L)