



CITY OF NORTH MIAMI BEACH
Council Chambers, 2nd Floor
City Hall, 17011 NE 19th Avenue
City of North Miami Beach, FL 33162

SEPTEMBER 28, 2010
REGULAR MEETING MINUTES
(CNMB-CC MINUTES TAPE #454)

1. ROLL CALL OF THE CITY OFFICIALS

The meeting was called to order at 7:30 p.m. Present at the meeting were Mayor Myron Rosner, Vice Mayor Beth E. Spiegel, and Council Members Philippe Derose, Barbara Kramer, Frantz Pierre and Phyllis S. Smith. Also present were Acting City Manager Roslyn Weisblum, City Attorney Darcee S. Siegel, and Acting City Clerk Joanne M. Callahan. Absent was Councilman John Patrick Julien.

2. INVOCATION

Vice Mayor Spiegel led the invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Rosner led the Pledge of Allegiance.

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA

Interim City Clerk Callahan announced the following change to the agenda: defer Item 15.2 (Ordinance No. 2010-21 Second and Final Reading). City Attorney Siegel noted that this item was not properly advertised.

5. PRESENTATIONS/DISCUSSIONS

- 5.1** Certificates of Appreciation to Robert Taylor and Jean Galumette for Beautification - Presented by Councilman Derose
- 5.2** Proclamations Recognizing Loren Howell and Angel Guerrero, City of North Miami Beach Lifeguards – Presented by Mayor Rosner and Leisure Services Director Paulette Murphy

6. APPOINTMENTS

6.1 Library Board (Councilman Pierre)

- Yvenoline Dargenson
- Frannix Jean-Mary

Motion made by Councilman Pierre, seconded by Councilwoman Smith, to appoint Yvenoline Dargenson and Frannix Jean-Mary as ex-officio members of the Library Board. By consensus, all voted in favor of the motion. (**Motion carried 6-0**).

7. CONSENT AGENDA

Motion made by Councilman Derose, seconded by Vice Mayor Spiegel, to introduce the Consent Agenda. By consensus, all voted in favor of the motion. (**Motion carried 6-0**).

7.1 Resolution No. R2010-66

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE SUBMISSION OF THE FY 10/11 STATE AID APPLICATION TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES.

Motion made by Councilman Derose, seconded by Councilman Pierre, to approve the Consent Agenda. By consensus, all voted in favor of the motion. (**Motion carried 6-0**).

8. CITY MANAGER'S REPORT

Acting City Manager Weisblum announced the following:

- 1) Notice was received from Insurance Services stating that the City of North Miami Beach's Community Rating System was changed from a Class 8 to a Class 7, giving residents a fifteen percentage (15%) discount on flood insurance. She thanked the Staff for their support. Next year's goal was to reach a Class 6.
- 2) The Florida National Register Review Board formally nominated the Fulford By-the-Sea Fountain to be listed in the National Registry for Historic Places. She thanked the Staff for their support.
- 3) Announced Shari Kamali will be officially appointed as the Director of Public Services and wished her continued success.

9. CITY ATTORNEY'S REPORT - *Waived*

9.1 Litigation List - *No Discussion*

10. MAYOR'S DISCUSSION - *Waived*

11. PUBLIC COMMENT

Interim City Clerk Callahan read the rules for Public Comment.

Charles Loeb, 16800 NE 15 Avenue #12, North Miami Beach, FL, spoke on "Woe to the Children."

Bert Kehren, 3302 NE 171 Street, North Miami Beach, FL – spoke about the 8/25 meeting terminating the City Manager and the Mayor.

Mubarak Kazan, 15564 NE 12 Avenue, North Miami Beach, FL – spoke of exercising democracy, freedom of speech, and the recent promotion of Public Services Director.

12. MISCELLANEOUS ITEMS – None

13. WAIVER OF FEE – None

14. BUSINESS TAX RECEIPTS

15. LEGISLATION

Motion made by Councilman Derose, seconded by Councilwoman Smith, to introduce Ordinance No. 2010-10 on First Reading, By Title Only. By consensus, all voted in favor of the motion. **(Motion carried 6-0).**

15.1 Ordinance No. 2010-10 (First Reading, By Title Only)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FL. ADOPTING THE EVALUATION AND APPRAISAL REPORT-BASED AMENDMENTS TO THE COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; 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.

Vice Mayor Spiegel requested confirmation that all changes and discussions were included from the two (2) meetings with the Staff, to which Interim Public Services Director Kamali responding in the affirmative.

Motion made by Councilman Derose, seconded by Councilwoman Smith, to adopt Ordinance No. 2010-10 on First Reading, By Title Only. **Vote:** By a roll call vote, Vice Mayor Spiegel, Councilwoman Smith, Councilman Derose, Councilwoman Kramer, Councilman Pierre and Mayor Rosner all voted in favor of the motion. **(Motion carried 6-0).**

15.2 Ordinance No. 2010-21 (Second and Final Reading) - Deferred

AN ORDINANCE AMENDING CHAPTER III OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED PURCHASING AND IN PARTICULAR SECTIONS 3-3.11c. AND 3-3.11d. TO INCREASE FROM TEN YEARS TO TWENTY YEARS THE CONTRACT TERM AND PERIOD FOR PAYMENTS FOR GUARANTEED ENERGY SAVINGS CONTRACTS; 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.

16. CITY COUNCIL COMMITTEE REPORTS

Vice Mayor Spiegel announced that she had received a check from someone and noted that the

Honorable Former Council Member David Templar stated in an email that he would match donations of up to \$250.00 for the 3rd Annual Domestic Violence Awareness Walk/Expo, the event taking place on October 2nd. She encouraged everyone to walk or cheer on the walkers. Vice Mayor Spiegel then recognized the residents for their time and effort they dedicated to the budget process. She requested the names of the applications of those who applied for the Seat & Council Vacancy and the appointment procedures be placed on the City's website.

Councilwoman Smith expressed the importance of the City's precious commodity – water. She spoke of her “ACT” card – accurate, complete and truthful and noted that the Acting City Manager was going to take a more hands-on approach by meeting with all of the Staff and commended her on the positive report. Councilwoman Smith encouraged donations to the 3rd Annual Domestic Violence Awareness Walk/Expo, October 2nd at 8:00 am. She spoke about the Police Department's program in learning on how the Police Department works and commended the Sergeant who was the speaker. Councilwoman Smith spoke about identity theft and warned everyone to be cautious with their social security number.

Councilman Derosé commended the Staff for their time and effort in balancing the budget.

Councilwoman Kramer expressed that she was looking forward to working with the Staff and starting on the new budget. She also suggested a forensic audit for discussion and spoke of a City that made a presentation on transparency. Councilwoman Kramer also spoke of the Police Department program.

Councilman Pierre congratulated Acting City Manager Weisblum on her positive report and spoke of a summit that he attended the previous week. He also spoke about better serving our City and the new hours for the Library. **Councilman Pierre** encouraged everyone to attend the 3rd Annual Domestic Violence Awareness Walk/Expo on October 2nd at 8:00 am.

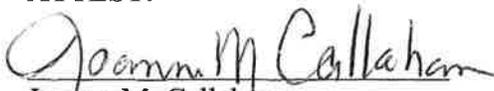
Mayor Rosner – *no report*

17. **NEXT REGULAR CITY COUNCIL MEETING** – Tuesday, October 5, 2010

18. **ADJOURNMENT** - There being no further business to come before the City Council, the meeting was adjourned at 9:55 p.m. on a motion made by Councilman Derosé and seconded by Councilman Pierre. By consensus, all voted in favor. (**Motion carried 5-0**)

ATTEST:

(S E A L)


Joanne M. Callahan
Interim City Clerk