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MINUTES

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1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	RAYMOND F. MARIN, PRESIDING
VICE MAYOR	JOHN PATRICK JULIEN
COUNCILMAN	PHILIPPE DEROSE
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JAY R. CHERNOFF
COUNCILMAN	FRANTZ PIERRE
COUNCILMAN	MYRON ROSNER
CITY MANAGER	KEVEN R. KLOPP
CITY ATTORNEY	HOWARD B. LENARD
CITY CLERK	SOLOMON ODENZ

2. INVOCATION: REVEREND MARTA BURKE,
FULFORD UNITED METHODIST CHURCH.

3. SALUTE TO THE AMERICAN FLAG.

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

ADDITIONS: 7(B) CITY MANAGERS REPORT - UTILITY SURCHARGE TO
OUTSIDE/CITY CUSTOMERS.

13(B) LEGISLATION-R2008-13

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS:

1. MONIQUE CALISTE – RECREATION COMMITTEE.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN CHERNOFF, to APPOINT MONIQUE CALISTE to the RECREATION COMMITTEE. MOTION CARRIED.

2. SUZE DIOGENE – RECREATION COMMITTEE.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN CHERNOFF, to APPOINT SUZE DIOGENE to the RECREATION COMMITTEE. MOTION CARRIED.

5. APPOINTMENTS/PRESENTATIONS (CONTINUED):

3. TANGELA SHEFFIELD – RECREATION COMMITTEE (EX-OFFICIO).

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN CHERNOFF, to APPOINT TANGELA SHEFFIELD to the RECREATION COMMITTEE (EX-OFFICIO). MOTION CARRIED.

4. REGINA MAHARLIKA – COMMISSION ON THE STATUS OF WOMEN.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN CHERNOFF, to APPOINT REGINA SHEFFIELD to the COMMISSION ON THE STATUS OF WOMEN. MOTION CARRIED.

B. PRESENTATIONS:

1. PRESENTATION OF PROCLAMATION, BY MAYOR RAYMOND F. MARIN, PROCLAIMING, APRIL 2008 AS WATER CONSERVATION MONTH.

MAYOR RAYMOND F. MARIN AND MR. KELVIN BAKER THE PUBLIC SERVICE DIRECTOR AND DEPUTY CITY MANAGER PRESENTED A PROCLAMATION DECLARING THAT APRIL 2008 WAS WATER CONSERVATION MONTH.

2. PRESENTATION OF CERTIFICATES OF APPRECIATION BY HARRIET ORR, PARKS AND RECREATION DIRECTOR, TO THE CITY OF NORTH MIAMI BEACH 15 YEAR OLDS AND 13 YEAR OLDS TRAVELING BASKETBALL LEAGUE FOR THEIR ACCOMPLISHMENTS AT THE DADE YOUTH BASKETBALL LEAGUE NORTH COMPETITION TO THE FOLLOWING TEAM MEMBERS:

13 YEAR OLDS

NICHOLAS ARMBRISTER
MOISE DELVA
IMANI EDWARDS
JOSEPH LOUBENS
IAN POWELL
LUIS REMEDIOS
JORGE RODRIGUEZ
LEONARDO RODRIGUES
WESLEY VEDRINE
JAMES VOLCY

15 YEAR OLDS

CHARLES CHRISTOPHER
CHRISTIAN NIEVES
MACKEY BIEN-AIME
MARVIN BEAVNILLE
MIKE BIEN AIME
REYNALD HONORAT
RISBON STORM

THE PARKS AND RECREATION DIRECTOR, HARRIET ORR, PRESENTED THE TRAVELING BASKETBALL LEAGUE A CERTIFICATE OF APPRECIATION TO EACH OF THE 15 AND 13 YEARS OLDS FOR THEIR ACCOMPLISHMENTS AT THE DADE YOUTH BASKETBALL LEAGUE NORTH COMPETITION.

6. APPROVAL OF MINUTES OF MARCH 18, 2008.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to APPROVE THE MINUTES OF MARCH 18, 2008. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to AMEND THE MINUTES OF MARCH 18, 2008 BY SUBSTITUTING THE WORD FESTIVAL WITH THE WORDS DISABILITY SPORTS PAVILION IN COUNCILMAN ROSNER'S REPORT, PART 2, PAGE 10. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to APPROVE THE MINUTES OF MARCH 18, 2008, AS AMENDED. MOTION CARRIED, AS AMENDED.

7. CITY MANAGER'S REPORT - KEVEN R. KLOPP:

- A. REQUEST APPROVAL TO ENTER INTO AN AGREEMENT WITH SELDIN CONSTRUCTION CO., INC. FOR CONSTRUCTION OF THE NE 13TH AVENUE PEDESTRIAN BRIDGE FOR THE GUARANTEED MAXIMUM PRICE OF \$387,000.00 IN ACCORDANCE WITH REQUEST FOR QUALIFICATION #2007-11 FOR CONSTRUCTION MANAGER AT RISK SERVICES.

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to APPROVE THE REQUEST FOR THE CONSTRUCTION OF THE NE 13TH AVENUE PEDESTRIAN BRIDGE FOR THE GUARANTEED MAXIMUM PRICE OF \$387,000.00 IN ACCORDANCE WITH REQUEST FOR QUALIFICATION #2007-11 FOR THE CONSTRUCTION MANAGER AT RISK SERVICES. MOTION CARRIED.

(CNMB-CC MINUTES TAPE #392)

- B. REQUEST TO GIVE MAYOR AND THE CITY MANAGER THE AUTHORITY TO WRITE A LETTER TO THE COUNTY COMMISSION STATING THEIR DISAPPROVAL ON THE REQUEST BY MIAMI-DADE COUNTY TO REMOVE THE ABILITY OF THE CITY OF NORTH MIAMI BEACH TO CHARGE A SURCHARGE TO UTILITY CUSTOMERS OUTSIDE OF THE CITY'S BOUNDARIES.

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to APPROVE THE REQUEST FOR MAYOR MARIN AND THE CITY MANAGER TO WRITE A LETTER TO THE COUNTY COMMISSION STATING THEIR DISAPPROVAL ON THE REMOVAL OF THE SURCHARGE TO UTILITY CUSTOMERS OUTSIDE OF NORTH MIAMI BEACH BOUNDARIES. MOTION CARRIED.

8. CITY ATTORNEY'S REPORT - HOWARD B. LENARD:

THE CITY ATTORNEY WAIVED HIS REPORT.

(CNMB-CC MINUTES TAPE #392)

9. **SCHEDULED CITIZENS APPEARANCE:**

A. RICHARD REISS
23 N.W. 169 STREET
NORTH MIAMI BEACH, FL.

RE: ROLLING THE DICE.

10. **MISCELLANEOUS ITEMS:**

NONE

11. **WAIVER OF FEE:**

NONE

12. **BUSINESS TAX RECEIPT MATTERS - CITY CLERK:**

NONE

13A. **ADMINISTRATION OF TESTIMONY OATH - CITY CLERK:**

RECENT FLORIDA SUPREME COURT RULINGS REGARDING MUNICIPAL ZONING MATTERS REQUIRE ALL CITIZENS WHO WILL BE PRESENT BEFORE THE LEGISLATIVE BODY OR CITY COUNCIL TO FOLLOW THE RULE OF TESTIMONY OATH.

13B. **LEGISLATION:**

RESOLUTIONS (SERIATIM NO. R2008-14):

RESOLUTION NO. R2008-12, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO BEGIN CONTRACT NEGOTIATIONS WITH H&R PAVING, INC., FOR NE 171ST STREET ROADWAY RESURFACING, NE 23RD AVENUE AND NE 172ND STREET INTERSECTION IMPROVEMENT PROJECT", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT RESOLUTION NO. R2008-12. MOTION CARRIED.

A MOTION WAS MADE BY COUNCILWOMAN SMITH TO AMEND RESOLUTION R2008-12 AS FOLLOWS: THAT FROM 15TH AVENUE TO 19TH AVENUE THE ROADWAY RESURFACING OF THESE STREETS WILL NOT BEGIN UNTIL THE COMPLETION OF THE 15TH AVENUE BRIDGE.

SAID MOTION DIED FOR LACK OF A SECOND.

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-13, entitled "AN EMERGENCY RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RESPECTFULLY REQUESTING THAT THE SCHOOL BOARD OF MIAMI-DADE COUNTY RETHINK, REALIGN, AND RECONFIGURE THE ATTENDANCE BOUNDARY LINES AFFECTING GREYNOLDS PARK ELEMENTARY OF NORTH MIAMI BEACH, FLORIDA", was introduced by MOTION OF COUNCILMAN PIERRE, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by COUNCILMAN PIERRE, seconded by MAYOR MARIN, to ADOPT RESOLUTION NO. R2008-13. MOTION CARRIED.

ORDINANCES - FIRST READING BY TITLE ONLY:
(SERIATIM NO. 2008-8)

ORDINANCE NO. 2008-7, entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA ENTITLED "WATER AND SEWERS"; ENACTING SECTION 19-24, PROVIDING FOR EMERGENCY WATER CONSERVATION RATES; PROVIDING FOR CODIFICATION OF THIS ORDINANCE", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN DEROSE ON ITS FIRST READING BY TITLE ONLY. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-7 ON ITS FIRST READING BY TITLE ONLY. MOTION CARRIED.

Name of Party(ies) Appearing:

- | | |
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| 1. Kelvin Baker, Deputy City Manager
17011 N.E. 19 Avenue
North Miami Beach, FL. | 4. Norman Edwards
1640 N.E. 175 Street
North Miami Beach, FL. |
| 2. Gerald C. Hartman
G.A.I. Consulting
301 E. Pine Street
Orlando, FL. | 5. Richard Reiss
23 N.W. 169 Street
North Miami Beach, FL. |
| 3. Charles Loeb
16800 N.E. 15 Avenue, #112
North Miami Beach, FL. | |

ORDINANCES - SECOND AND FINAL READING:

NONE

AT THIS TIME, COUNCILMAN CHERNOFF WAS EXCUSED FROM THE COUNCIL CHAMBERS.

14. UNSCHEDULED CITIZENS APPEARANCES:

A. SCOTT SICHAK
831 N.E. 187 TERRACE
NORTH MIAMI BEACH, FL.

RE: SCHOOL BOUNDARIES.

B. CHARLES LOEB
16800 N.E. 15 AVENUE, #112
MIAMI, FL.

RE: PROGRESS OF N.E. 15TH AVENUE.

C. RICHARD REISS
23 N.W. 169 STREET
MIAMI, FL.

RE: SCHOOLS/15TH AVENUE PROJECT/FAILED TO SET ASIDE FUNDS.

D. BILL BORKAN
3142 N.E. 166 STREET
NORTH MIAMI BEACH, FL.

RE: SAFETY ISSUES OF HOMES AND CONSTRUCTION SITES/COMPLETION BOND.

E. ROBERT TAYLOR
1951 N.E. 157 TERRACE
NORTH MIAMI BEACH, FL.

RE: HOUSTON'S PROPERTY.

15. CITY COUNCIL COMMITTEE REPORTS:

A. VICE MAYOR JULIEN'S REPORT:

1. COUNCILMAN JULIEN DID NOT SUBMIT A REPORT AT THIS TIME.

(CNMB-CC MINUTES TAPE #392)

B. COUNCILMAN DEROSE'S REPORT:

1. COUNCILMAN DEROSE WISHED COUNCILMAN JAY CHERNOFF A HAPPY BIRTHDAY AND WISHED EVERYONE A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #392)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

C. **COUNCILWOMAN SMITH'S REPORT:**

1. COUNCILWOMAN SMITH WANTED EVERYBODY IN THE AUDIENCE AND THE TELEVISION AUDIENCE TO UNDERSTAND THAT THE DROUGHT IS A TEMPORARY TAX. COUNCILWOMAN SMITH STATED THAT IS WRITTEN VERY CLEARLY IN THE ORDINANCE DURING PERIODS OF MANDATED WATER RESTRICTIONS AND, HOPEFULLY, WE WILL NOT NEED IT MUCH LONGER. COUNCILWOMAN SMITH STATED THAT THE PEOPLE COULD CONTROL IT AND NOT HAVE ANY ADDITIONAL TAX IN THEIR OWN HOME BY JUST BUDGETING THEIR WATER THE SAME WAY THEY ARE BUDGETING THE WAY THEY DRIVE THEIR CARS OR ARE GOING OUT AND DOING THREE OR FOUR THINGS AT ONCE. COUNCILWOMAN SMITH INDICATED THAT IF THAT IS HOW WE WATCH HOW MUCH GAS WE ARE USING THEN WE CAN ALSO BE WATCHING HOW MUCH WATER WE USE.

(CNMB-CC MINUTES TAPE #392)

2. COUNCILWOMAN SMITH STATED THAT THE GARAGE SALE THIS WEEKEND WAS VERY SUCCESSFUL AND THAT THE PUBLIC WOULD LIKE MORE OF IT. COUNCILWOMAN SMITH STATED THAT IT IS TOO COSTLY IN A TIGHT BUDGET, BUT THE COUNCIL HAS AGREED TO LOOK INTO SOME ALTERNATE WAYS, SO WE WILL KEEP YOU POSTED WITH THAT.

(CNMB-CC MINUTES TAPE #392)

3. COUNCILWOMAN SMITH INDICATED THAT WE DO HAVE OUR CODE ONLINE. COUNCILWOMAN SMITH STATED THAT IT HAD TAKEN US A LITTLE LONGER THAN WE THOUGHT, BUT IT IS THERE, AND IT WILL BE UPDATED. COUNCILWOMAN SMITH STATED THAT IT IS NOW YOURS BY JUST SITTING AT YOUR OWN COMPUTER.

(CNMB-CC MINUTES TAPE #392)

4. COUNCILWOMAN SMITH STATED THAT SHE WILL BE STARTING SOME CITIZENS CLASSES IN THE FALL AND THAT SHE WOULD BE GIVING MORE NOTIFICATION ON THAT. COUNCILWOMAN SMITH WISHED EVERYBODY A HAPPY APRIL FOOLS DAY, AND A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #392)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED)**

D. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE WISHED EVERYONE A GOOD EVENING. COUNCILMAN PIERRE HAD A CHANCE TO ATTEND THE RIBBON CUTTING OF THE NEW WATER PARK. HE INDICATED THAT HE USED TO SAY POOL, BUT IT IS NOT A POOL ANYMORE, IT IS A WATER PARK. COUNCILMAN PIERRE STATED THAT HE WAS SUPPOSED TO HAVE HIS FIRST SWIMMING LESSON TODAY, BUT HE HAD MISSED IT. COUNCILMAN PIERRE STATED THAT YOU HAVE NO MORE EXCUSES FOR NOT LEARNING HOW TO SWIM. COUNCILMAN PIERRE STATED NOW THAT WE HAVE A NEW PARK, PLEASE LET US USE IT.

(CNMB-CC MINUTES TAPE #392)

E. COUNCILMAN ROSNER'S REPORT:

1. COUNCILMAN ROSNER WISHED EVERYBODY A GOOD EVENING AND WISHED THE DEPUTY CITY MANAGER KELVIN BAKER ALL THE BEST, AND THANKED HIM VERY MUCH FOR MEETING WITH HIM THIS WEEK. COUNCILMAN ROSNER STATED THAT HE WAS A WEALTH OF KNOWLEDGE INCLUDING HIS WHOLE STAFF AND HE WAS VERY IMPRESSIVE. COUNCILMAN ROSNER INDICATED THAT HE NEVER REALLY SPENT THAT MUCH TIME WITH KELVIN BAKER, BUT WHEN HE WENT THROUGH THE WATER PLANT AND SAW EVERYTHING THEY ARE DOING, IT WAS JUST VERY IMPRESSIVE. COUNCILMAN ROSNER WISHED KELVIN BAKER AND THE WHOLE DEPARTMENT LUCK AT THE COMPETITION.

(CNMB-CC MINUTES TAPE #392)

F. MAYOR MARIN'S REPORT:

1. MAYOR MARIN WISHED EVERYBODY A GOOD EVENING AND EXPRESSED THAT HE WISHED TO MAKE A FEW COMMENTS. FIRST HE WISHED TO ANNOUNCE THAT ON APRIL 12TH FROM 9:00 A.M. TO 1:00 P.M. THE CITY IS HAVING ITS WATER FEST. MAYOR MARIN INDICATED THAT THE WATER FEST WOULD BE AT THE AMPHITHEATRE COMPLEX AT THE GWEN MARGOLIS CENTER AND THAT EVERYBODY IS INVITED, AND THAT THEY SHOULD BRING THEIR FAMILY AND SEE WHAT THERE IS TO DO ON WATER CONSERVATION, SINCE THAT IS A HOT TOPIC.

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2. MAYOR MARIN STATED THAT ALSO, ON THAT PARTICULAR DAY, ON SATURDAY FROM 7:30 IN THE MORNING TO 1:00 P.M., AT THE GWEN MARGOLIS CHALLENGER AMPHITHEATRE, WE ARE GOING TO HAVE THE 7TH ANNUAL TEEN SPRING CLEAN UP. MAYOR MARIN STATED THAT HE KNEW THAT A LOT OF PEOPLE ASKED DOES THE CITY DO THIS AND MAYOR MARIN STATED WE DO IT ONCE A YEAR. MAYOR MARIN STATED TO THE VOLUNTEERS YOU WILL ENJOY YOUR FREE LUNCH, MUSIC AND ENTERTAINMENT, SO HE ENCOURAGED PEOPLE TO GO AND PARTICIPATE.

(CNMB-CC MINUTES TAPE #392)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

F. **MAYOR MARIN'S REPORT (CONTINUED):**

3. MAYOR MARIN WANTED TO TAKE A MOMENT TO APOLOGIZE TO THE CITY MANAGER, BECAUSE OVER THE WEEKEND THERE WAS AN ARTICLE IN THE PAPER WHERE SOMEBODY MADE A COMMENT ABOUT THE CITY MANAGER, AND HE JUST WANTED TO REPEAT SOMETHING THAT HE HAD SAID TWO (2) WEEKS AGO. WE HAVE PUBLIC SERVICE EMPLOYEES HERE IN THE CITY THAT DO A TERRIFIC JOB. MAYOR MARIN STATED THAT A LOT OF PEOPLE SEEM TO CRITICIZE THEM, AND HE DID NOT KNOW WHY. OUR EMPLOYEES REALLY DO A GREAT JOB AND HE ALSO WANTED TO SAY THAT, IN HIS OPINION, THE CITY MANAGER DOES A GREAT JOB. MAYOR MARIN STATED THAT HE THOUGHT IT IS REALLY A LACK OF RESPECT FROM PEOPLE THAT GET ON THEIR FIFTEEN MINUTES OF FAME IN THE NEWSPAPER AND USE DEROGATORY TERMS AGAINST THE CITY MANAGER OR ANYONE IN THAT RESPECT. MAYOR MARIN STATED, ON BEHALF OF THE RESIDENTS OF EASTERN SHORES AND THE RESIDENTS OF NORTH MIAMI BEACH, HE APOLOGIZED FOR WHAT THIS PERSON USED AGAINST THE CITY MANAGER. IT JUST SHOWS A LACK OF RESPECT OR EDUCATION ON THEIR PART.

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4. MAYOR MARIN STATED THAT HE IS GOING TO MAKE A REQUEST OF THE CITY CLERK. MAYOR MARIN STATED TO THE CITY CLERK THAT HE WAS GOING TO DIRECT HIM, UNLESS HE WAS OVERRIDDEN THAT NO OCCUPATIONAL LICENSES BE ISSUED TO ANY ADULT ENTERTAINMENT FACILITY COMING FORWARD FOR AN OCCUPATIONAL LICENSE. MAYOR MARIN INDICATED THAT, TO THE BEST OF HIS KNOWLEDGE, THERE ARE TWO (2) IN THE CITY, AND THE OTHER ONE THAT IS AROUND AS FAR AS HE WAS CONCERNED THEY HAVE NOT BEEN OPEN FOR A WHILE, AND TO HIS UNDERSTANDING THEY HAD BEEN DOING SOME TRICKS. MAYOR MARIN WOULD PREFER THE OCCUPATIONAL LICENSE NOT BE ISSUED. HE UNDERSTOOD THAT IT IS IN THE PIPELINE BUT HE WOULD RATHER DO BATTLE IN COURT.

(CNMB-CC MINUTES TAPE #392)

5. MAYOR MARIN STATED THAT THE BEAUTIFUL TAX DAY IS COMING UP FOR EVERYBODY WHICH IS APRIL 15TH, WHICH IS WHEN OUR NEXT COUNCIL MEETING WILL BE. MAYOR MARIN WANTED TO REMIND EVERYBODY THAT THEY SHOULD GET AN EXTENSION IF THEIR TAX RETURN IS NOT PREPARED BY THEN. MAYOR MARIN STATED THAT EVEN THOSE WHO DO NOT NEED TO FILE A TAX RETURN, IN ORDER TO GET THE REBATE FROM THE GOVERNMENT'S REBATE PROGRAM WHICH IS COMING IN MAY OR JUNE; THEY MUST FILE A TAX RETURN IN ORDER TO RECEIVE IT. MAYOR MARIN STATED THAT HE WOULD ENCOURAGE, ESPECIALLY THE SENIORS TO FILE A TAX RETURN IN ORDER TO GET THAT REBATE.

(CNMB-CC MINUTES TAPE #392)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

F. **MAYOR MARIN'S REPORT (CONTINUED):**

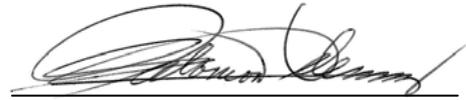
6. AT THIS POINT, VICE MAYOR JULIEN HAD A QUESTION AND STATED THAT HE HEARD WHAT THE MAYOR WAS SAYING AND HE WAS NOT TRYING TO ADVOCATE THE ADULT ENTERTAINMENT BUSINESS, BUT THAT HE KNEW THAT THE MAYOR HAD NOT MADE A MOTION. VICE MAYOR JULIEN WISHED TO KNOW IF THIS WAS LIKE A DIRECTIVE THAT WE ARE GOING TO BE FOLLOWING, AND VICE MAYOR JULIEN EXPRESSED THAT IF IT IS, HE HAD TO SAY THAT HE WAS OPPOSED TO IT. MAYOR MARIN STATED IT IS A DIRECTIVE THAT I AM GIVING THE CITY CLERK NOT TO ISSUE AN OCCUPATIONAL LICENSE. IF YOU WANT SPECIFICS I WILL BE MORE THAN HAPPY TO GIVE IT TO YOU. MAYOR MARIN INDICATED THAT IT WAS OF ONE PARTICULAR FACILITY THAT IS IN THE PIPELINE. VICE MAYOR JULIEN STATED THAT HE DID NOT KNOW THE SPECIFICS BUT, JUST ON THE SURFACE OF WHAT HE JUST HEARD, AND AGAIN HE WAS NOT A PROPONENT OF THE ADULT ENTERTAINMENT BUSINESS BUT, THEY ARE A LEGAL ESTABLISHMENT AND HE WAS NOT IN FAVOR OF SAYING WITH A BLANKET STATEMENT THAT FROM NOW ON WE ARE NOT GOING TO GIVE OCCUPATIONAL LICENSES TO ANY OF THOSE BUSINESSES EVER AGAIN. MAYOR MARIN STATED THAT HE HAD NOT SAID THAT. VICE MAYOR JULIEN STATED THAT IS WHAT HE THOUGHT HE HEARD. MAYOR MARIN STATED THAT WHAT YOU HEARD ME SAY WAS THAT I HAVE DIRECTED THE CITY CLERK, NOT TO ISSUE A OCCUPATIONAL LICENSE TO AN ADULT ENTERTAINMENT FACILITY THAT IS IN THE PROCESS OF COMING FORWARD. COUNCILMAN DEROSE STATED THAT HE WANTED TO KNOW IF IT IS A ONE MAN ORDER, OR THE COUNCIL. MAYOR MARIN INDICATED THAT IT WAS JUST HIS DIRECTIVE TO THE CLERK, IF YOU WANT TO VOTE ON IT, BE MY GUEST. THE CITY MANAGER STATED WOULD YOU ALL PREFER TO PUT IT ON THE AGENDA FOR A FUTURE MEETING. VICE MAYOR JULIEN STATED YES, BECAUSE IF IT IS A DIRECTIVE I SIMPLY WANT TO SAY THAT I AM OPPOSED TO THAT DIRECTIVE. I STAND ALONE ON THAT. MAYOR MARIN STATED THAT IT WOULD BE OK, AND THAT HE WOULD BE MORE THAN HAPPY TO MAKE A MOTION NOW. COUNCILWOMAN SMITH STATED THAT WE DO NOT HAVE THE EDUCATION AND THAT COUNCILMAN PIERRE AND SHE MISUNDERSTOOD AS WELL. COUNCILWOMAN SMITH STATED THAT THEY THOUGHT THE MAYOR MEANT ANY FURTHER FOR NOW; TEMPORARILY. COUNCILWOMAN SMITH STATED THAT THEY DID NOT KNOW IT WAS A PARTICULAR THING. MAYOR MARIN STATED "NO I SAID "A"." VICE MAYOR JULIEN STATED THAT IS WHAT HE THOUGHT HE HEARD. VICE MAYOR JULIEN STATED THAT YOU CAN MAKE THE MOTION BUT BECAUSE IT IS NOT ON THE AGENDA MY UNDERSTANDING IS IT WOULD HAVE TO BE UNANIMOUS. MAYOR MARIN STATED THAT IS CORRECT, THAT IS WHY I AM NOT MAKING IT. THEREAFTER, COUNCILMAN PIERRE STATED THAT HE WAS WONDERING IF WE WERE RUNNING A ONE MAN COUNCIL. MAYOR MARIN INDICATED THAT THERE IS A WISE GUY IN EVERY GROUP. MAYOR MARIN ANNOUNCED THAT THE NEXT SCHEDULED MEETING IS APRIL 15, 2008.

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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 9:18 PM.

CERTIFICATION

I, SOLOMON ODENZ, 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 1ST DAY OF APRIL, 2008.



SOLOMON ODENZ, CITY CLERK
CITY OF NORTH MIAMI BEACH

(SEAL)