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MINUTES

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1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	RAYMOND F. MARIN, PRESIDING
VICE MAYOR	PHILIPPE DEROSE
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JAY R. CHERNOFF
COUNCILMAN	FRANTZ PIERRE
COUNCILMAN	JOHN PATRICK JULIEN
COUNCILMAN	MYRON ROSNER
CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SUSAN A. OWENS

2. INVOCATION: RABBI DAVID LEHRFIELD
YOUNG ISREAL OF GREATER MIAMI

3. SALUTE TO THE AMERICAN FLAG.

4A. CERTIFICATION AND DECLARATION OF RESULTS OF THE REGULAR AND SPECIAL CITY ELECTIONS OF MAY 5, 2009.

MOTION by COUNCILWOMAN SMITH seconded by COUNCILMAN PIERRE to APPROVE THE RESULTS OF THE MAY 5, 2009 REGULAR AND SPECIAL ELECTIONS. MOTION CARRIED.

AT THIS TIME, COUNCILMAN CHERNOFF THANKED THE COMMUNITY FOR THE 19 YEARS OF SERVICE AND MAYOR MARIN THANKED THE COMMUNITY FOR THE 20 YEARS OF SERVICE.

Clerk's Note: Based upon the Results of the May 5, 2009 Regular Election the members of the City Council of the City of North Miami Beach are:

Group 1 – Mayor	MYRON ROSNER
Group 2 – Councilperson	PHILIPPE DEROSE
Group 3 – Councilperson	PHYLLIS S. SMITH
Group 4 – Councilperson	BETH E. SPIEGEL
Group 5 – Councilperson	FRANTZ PIERRE
Group 6 – Councilperson	BARBARA KRAMER
Group 7 – Councilperson	JOHN PATRICK JULIEN

4B. ADMINISTRATION OF OATH OF OFFICE TO THE ELECTED OFFICIALS

AT THIS TIME, MAYOR MARIN CALLED COUNCILPERSON – ELECT BETH SPIEGEL – GROUP 4 AND COUNCILPERSON – ELECT BARBARA KRAMER – GROUP 6 TO THE COUNCIL DAIS TO TAKE THEIR RESPECTIVE ELECTED SEATS.

THEREAFTER, MR. JULIEN JEANVIER CELEBRATED THE EVENT WITH A SONG HE HAD
COMPOSED HIMSELF.

Thereafter, the *Honorable Sarah Zabel*, Miami-Dade County Judge, Circuit Court, 11th (Eleventh) Judicial Circuit was called upon to administer the Oath of Office to:

Mayor-Elect Myron Rosner

Thereafter, the *Honorable Sarah Zabel*, Miami-Dade County Judge, Circuit Court, 11th (Eleventh) Judicial Circuit was called upon to administer the Oath of Office to:

Councilperson Philippe Deroose

Thereafter, *Mr. William Dean, Esquire* was called upon to administer the Oath of Office to:

Councilperson Phyllis S. Smith

Thereafter, The *Honorable William C. Turnoff*, United States Judge was called upon to administer the Oath of Office to:

Councilperson-Elect E. Beth Spiegel

Thereafter, *Minister Alex Lacroix*, House of the Living God Ministries was called upon to administer the Oath of Office to:

Councilperson Frantz Pierre

Thereafter, *Mr. Larry Kramer*, was called upon to administer the Oath of Office to:

Councilperson-Elect Barbara Kramer

Thereafter, *Pastor Jean Jean-Louis*, Rehoboth Evangelical church was called upon to administer the Oath of Office to:

Councilperson John Patrick Julien

At this time, the Mayor and Council members each expressed their gratefulness and made special comments to all of the people of the city and those responsible for their election.

5. ADJOURNMENT: 8:37 P.M.

There being no further business to come before the City Council of the City of North Miami Beach, the **SPECIAL MEETING** of the City Council of the City of North Miami Beach was ADJOURNED at 8:37 PM.

CERTIFICATION

I, SUSAN A. OWENS, CMC, CITY CLERK OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES, PAGES ONE (1) THROUGH PAGE THREE (3) PLUS ONE (1) MEMORANDUM IN REFERENCE TO THE CERTIFICATION AND DECLARATION OF RESULTS OF THE MAY 5, 2009 REGULAR AND SPECIAL ELECTIONS ATTACHMENTS (3 PAGES) AND ONE (1) COPY OF THE OFFICIAL RESULTS OF THE MAY 5, 2009 REGULAR AND SPECIAL ELECTIONS (8 PAGES) INCLUSIVE, TO BE THE OFFICIAL RECORD OF THE CITY COUNCIL PROCEEDINGS AS TAPE RECORDED AT THE SPECIAL CITY COUNCIL MEETING OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, HELD ON THE TWENTY-SIXTH (26) DAY OF MAY, 2009.

(SEAL)


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



Elections
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miamidade.gov

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Lester Sola, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the precinct and absentee ballot counts of the votes cast for the municipal offices and charter amendments listed below at the **May 5, 2009, North Miami Beach Regular and Special Elections:**

- GROUP 1 – MAYOR
- GROUP 2 – COUNCILPERSON
- GROUP 3 – COUNCILPERSON
- GROUP 4 – COUNCILPERSON
- GROUP 5 – COUNCILPERSON
- GROUP 6 – COUNCILPERSON

- | | |
|-------------------------|---|
| CHARTER AMENDMENT NO. 1 | Adopting a Citizens' Bill of Rights. |
| CHARTER AMENDMENT NO. 2 | Adopting a One-Year Residency Requirement for Candidates for the Offices of Mayor and City Council. |
| CHARTER AMENDMENT NO. 3 | Adopting Four-Year Staggered Terms for Mayor and City Councilperson. |
| CHARTER AMENDMENT NO. 4 | Adopting Term Limits of Eight Consecutive Years in Office for Mayor & City Council. |
| CHARTER AMENDMENT NO. 5 | Restating Compensation Provision for Mayor & Councilpersons During their Term of Office. |
| CHARTER AMENDMENT NO. 6 | Limiting Benefits Provided to Members of City Council After their Term of Office. |
| CHARTER AMENDMENT NO. 7 | Requiring Charter Review at Least Every 10 Years. |

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 5th DAY OF MAY, 2009


Lester Sola
Supervisor of Elections
Miami-Dade County

LS: lo

Enclosures

SUMMARY REPT-GROUP DETAIL

OFFICIAL REG & SPEC ELECTION
NORTH MIAMI BEACH, FLORIDA
MAY 5, 2009

UNOFFICIAL RESULTS

RUN DATE:05/08/09 01:19 PM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO
PRECINCTS COUNTED (OF 12)	12	100.00					
REGISTERED VOTERS - TOTAL	20,101						
BALLOTS CAST - TOTAL	3,208		1,814	6	931	457	0
VOTER TURNOUT - TOTAL		15.96					
GROUP 1 - MAYOR CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Raymond F. Marin	1,395	45.31	783	1	400	211	0
Myron Rosner	1,684	54.69	956	5	498	225	0
Total	3,079		1,739	6	898	436	0
Over Votes	23		7	0	16	0	0
Under Votes	106		68	0	17	21	0
GROUP 2 - COUNCILPERSON CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Philippe Derose	1,540	52.60	932	1	407	200	0
Carmen Kienzle	1,388	47.40	735	4	419	230	0
Total	2,928		1,667	5	826	430	0
Over Votes	7		4	0	3	0	0
Under Votes	273		143	1	102	27	0
GROUP 3 - COUNCILPERSON CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Hillel Hellinger	831	30.21	419	3	274	135	0
Phyllis S. Smith	1,920	69.79	1,123	1	529	267	0
Total	2,751		1,542	4	803	402	0
Over Votes	4		1	0	3	0	0
Under Votes	453		271	2	125	55	0
GROUP 4 - COUNCILPERSON CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Jay R. Chernoff	1,120	39.91	605	1	336	178	0
Beth Spiegel	1,686	60.09	948	4	499	235	0
Total	2,806		1,553	5	835	413	0
Over Votes	7		3	0	4	0	0
Under Votes	395		258	1	92	44	0
GROUP 5 - COUNCILPERSON CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Kenneth A. DeFillipo	1,461	49.88	767	3	476	215	0
Frantz Pierre	1,468	50.12	892	1	370	205	0
Total	2,929		1,659	4	846	420	0
Over Votes	3		1	0	2	0	0
Under Votes	276		154	2	83	37	0
GROUP 6 - COUNCILPERSON CITY:NORTH MIAMI BEACH							
(Vote for) 1							
Barbara Kramer	1,683	57.46	882	3	582	216	0
Hans Hardy	542	18.50	369	1	100	72	0
Jennie Torres-Lewis	704	24.04	405	0	164	135	0
Total	2,929		1,656	4	846	423	0
Over Votes	9		3	0	5	1	0
Under Votes	270		155	2	80	33	0

Susan R. Jones
5/8/2009

SUMMARY REPT-GROUP DETAIL

OFFICIAL REG & SPEC ELECTION
NORTH MIAMI BEACH, FLORIDA
MAY 5, 2009

UNOFFICIAL RESULTS

RUN DATE:05/08/09 01:19 PM

REPORT-EL45A PAGE 002

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO
Charter Amendment No. 1 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	2,522	93.44	1,364	2	791	365	0
NO/NO/NON	177	6.56	110	2	45	20	0
Total	2,699		1,474	4	836	385	0
Over Votes	1		1	0	0	0	0
Under Votes	508		339	2	95	72	0
Charter Amendment No. 2 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	2,548	93.06	1,391	1	800	356	0
NO/NO/NON	190	6.94	112	3	42	33	0
Total	2,738		1,503	4	842	389	0
Over Votes	0		0	0	0	0	0
Under Votes	470		311	2	89	68	0
Charter Amendment No. 3 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	1,527	60.93	794	3	468	262	0
NO/NO/NON	979	39.07	537	1	317	124	0
Total	2,506		1,331	4	785	386	0
Over Votes	6		1	0	5	0	0
Under Votes	695		482	2	140	71	0
Charter Amendment No. 4 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	1,728	69.04	957	2	501	268	0
NO/NO/NON	775	30.96	366	2	289	118	0
Total	2,503		1,323	4	790	386	0
Over Votes	1		0	0	1	0	0
Under Votes	703		491	2	139	71	0
Charter Amendment No. 5 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	1,144	46.28	617	2	336	189	0
NO/NO/NON	1,328	53.72	688	2	444	194	0
Total	2,472		1,305	4	780	383	0
Over Votes	8		2	0	5	1	0
Under Votes	727		507	2	145	73	0
Charter Amendment No. 6 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	2,348	82.36	1,248	2	773	325	0
NO/NO/NON	503	17.64	326	2	100	75	0
Total	2,851		1,574	4	873	400	0
Over Votes	4		2	0	2	0	0
Under Votes	330		238	2	33	57	0

Brenda A. Jones
5/8/2009

SUMMARY REPT-GROUP DETAIL

OFFICIAL REG & SPEC ELECTION
NORTH MIAMI BEACH, FLORIDA
MAY 5, 2009

UNOFFICIAL RESULTS

RUN DATE:05/08/09 01:19 PM

REPORT-EL45A PAGE 003

	TOTAL VOTES	%	ED OSS	ED IVO	ABSENTEE	EV OSS	EV IVO
Charter Amendment No. 7 CITY:NORTH MIAMI BEACH							
(Vote for) 1							
YES/SI/WI	2,491	87.71	1,362	3	757	369	0
NO/NO/NON	349	12.29	213	1	97	38	0
Total	2,840		1,575	4	854	407	0
Over Votes	4		1	0	3	0	0
Under Votes	341		238	2	51	50	0

Eva R. Juarez
5/8/2009



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CERTIFICATION

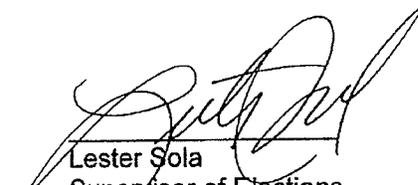
STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Lester Sola, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the attached is a true and correct copy of the ballot recount of the votes cast for the municipal office listed below during the **North Miami Beach Regular and Special Elections** on May 5, 2009:

GROUP 5 – COUNCILPERSON

WITNESS MY HAND AND
OFFICIAL SEAL, AT MIAMI,
MIAMI-DADE COUNTY, FLORIDA,
ON THIS 8th DAY OF MAY, 2009



Lester Sola
Supervisor of Elections
Miami-Dade County

LS: zr

Enclosures

SUMMARY REPORT

OFFICIAL REG & SPEC ELECTION
NORTH MIAMI BEACH, FLORIDA
MAY 5, 2009

MACHINE RECOUNT

RUN DATE:05/08/09 02:01 PM

REPORT-EL45 PAGE 001

	VOTES	PERCENT
PRECINCTS COUNTED (OF 12)	12	100.00
REGISTERED VOTERS - TOTAL	20,101	
BALLOTS CAST - TOTAL	2,929	
VOTER TURNOUT - TOTAL		14.57

GROUP 5 - COUNCILPERSON CITY:NORTH MIAMI BEACH

(Vote for) 1

Kenneth A. DeFillipo.	1,457	49.74
Frantz Pierre	1,472	50.26
Total	2,929	
Over Votes	0	
Under Votes	0	

Frantz Pierre
5/8/2009