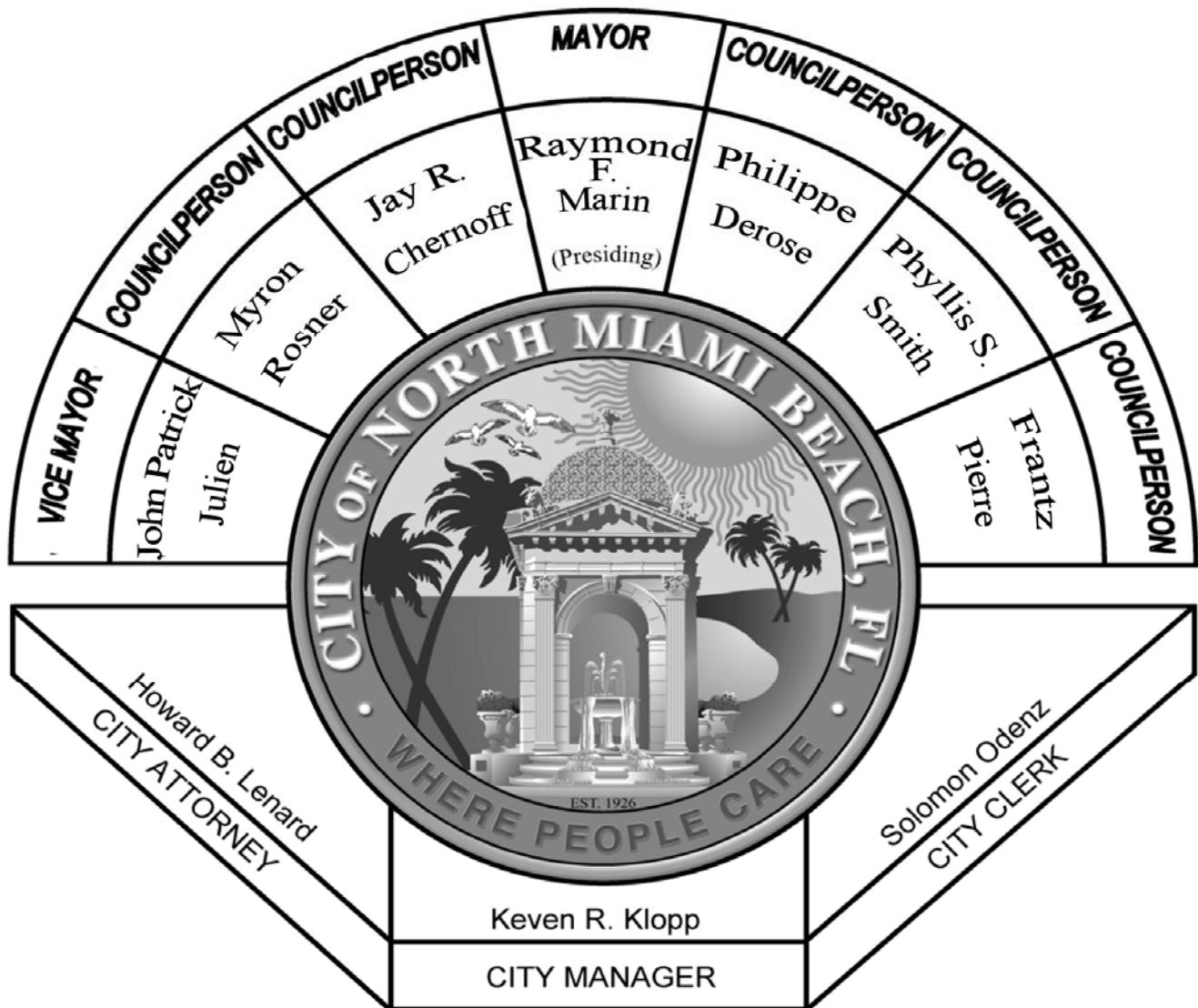


*Welcome  
To A Meeting of the  
City of North Miami Beach City Council  
Your City Officials*



**AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL  
CITY OF NORTH MIAMI BEACH, FLORIDA**

**DATE and TIME:** TUESDAY, FEBRUARY 5, 2008, 7:30 PM

**LOCATION:** CITY HALL, 17011 NE 19<sup>th</sup> AVENUE  
2<sup>ND</sup> FLOOR, COUNCIL CHAMBERS

**NEXT CITY COUNCIL MEETING: TUESDAY, FEBRUARY 19, 2008**

# AGENDA ITEMS

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1. **ROLL CALL OF THE CITY OFFICIALS:**

2. **INVOCATION:**

(TO BE ANNOUNCED)

3. **SALUTE TO THE AMERICAN FLAG.**

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

5. **APPOINTMENTS/PRESENTATIONS:**

A. **APPOINTMENTS:**

NONE

B. **PRESENTATIONS:**

1. PRESENTATION BY LEWIS J. BEILMAN III, SR. INTERGOVERNMENTAL REPRESENTATIVE, SOUTH FLORIDA WATER MANAGEMENT DISTRICT, MIAMI-DADE REGIONAL SERVICE CENTER, REGARDING THE CURRENT WATER SHORTAGE AND THE WATER RESTRICTIONS.

6. **APPROVAL OF MINUTES:**

JANUARY 15, 2008

7. **CITY MANAGER'S REPORT:**

**KEVEN R. KLOPP**

8. **CITY ATTORNEY'S REPORT:**

**HOWARD B. LENARD**

# AGENDA ITEMS

## 9. SCHEDULED CITIZENS APPEARANCE:

### TO ALL CITIZENS APPEARING UNDER SCHEDULED APPEARANCES:

THE COUNCIL HAS A RULE WHICH DOES NOT ALLOW DISCUSSION ON ANY MATTER WHICH IS BROUGHT UP UNDER CITIZENS APPEARANCES UNLESS IT IS AN EMERGENCY. 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.

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### SPEAKING BEFORE THE CITY COUNCIL:

THERE IS A THREE (3) MINUTE TIME LIMIT FOR SPEAKERS/CITIZENS PARTICIPATION AT ALL PUBLIC HEARINGS AS WELL AS SCHEDULED/UNSCHEDULED CITIZENS APPEARANCE(S). 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.

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**NOTE:** IN THE COUNCIL CHAMBERS, CITIZEN PARTICIPANTS ARE ASKED TO COME FORWARD TO THE PODIUM, GIVE YOUR NAME AND ADDRESS, NAME AND ADDRESS OF THE ORGANIZATION YOU ARE REPRESENTING, IF ANY, AND SPEAK ONLY ON THE SUBJECT FOR DISCUSSION.

THANKING YOU VERY MUCH, IN ADVANCE, FOR YOUR COOPERATION.

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A. CHARLES LOEB  
16800 N.E. 15 AVENUE  
NORTH MIAMI BEACH, FL.

RE: ORDINANCE 2007-5 – ERLANGER, KENTUCKY STYLE.

B. BERT KEHREN  
3302 N.E. 171 STREET  
NORTH MIAMI BEACH, FL.

RE: UNCERTAINTY.

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

RE: ARE YOU KIDDING ME?

## 10. MISCELLANEOUS ITEMS:

NONE

# AGENDA ITEMS

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## 11. WAIVER OF FEE:

NONE

## 12. BUSINESS TAX RECEIPT MATTERS: CITY CLERK

- A. EBONY & IVORY ENTERTAINMENT, LLC  
d/b/a DIAMOND'S CABARET  
337-339 N.W. 170 STREET  
NORTH MIAMI BEACH, FL.

GARY ROSENBERG, ESQ.

RE: RECONSIDERATION OF STATUS OF BUSINESS TAX RECEIPT (VICE MAYOR JOHN PATRICK JULIEN).

## 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 (CITY CLERK TO ADMINISTER OATH).*

## 13B. LEGISLATION:

### RESOLUTIONS (SERIATIM NO. R2008-3):

NONE

### ORDINANCES - FIRST READING BY TITLE ONLY (SERIATIM NO. 2008-4):

NONE

### ORDINANCES - SECOND AND FINAL READING:

#### ORDINANCE NO. 2008-1

AN ORDINANCE AMENDING SECTION 17-8 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH REVISING THE FEES SCHEDULE FOR THE USE OF VICTORY PARK SWIMMING POOL; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

# AGENDA ITEMS

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## **13B. LEGISLATION (CONTINUED):**

### **ORDINANCES - SECOND AND FINAL READING (CONTINUED):**

#### **ORDINANCE NO. 2008-2**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH'S RETIREMENT PLAN FOR GENERAL EMPLOYEES; ADDING A PROVISION PERMITTING PLAN MEMBERS TO PURCHASE CREDITED SERVICE UP TO A MAXIMUM OF FOUR ADDITIONAL YEARS WITHOUT ANY MILITARY SERVICE OR OTHER PRIOR GOVERNMENT SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

#### **ORDINANCE NO. 2008-3**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH RETIREMENT PLAN FOR POLICE OFFICERS AND FIREFIGHTERS; AMENDING ARTICLE VI TO EXTEND THE TOTAL PERMITTED YEARS OF PARTICIPATION IN THE DEFERRED RETIREMENT OPTION PLAN (DROP) FROM FIVE (5) YEARS TO EIGHT (8) YEARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

## **14. UNSCHEDULED CITIZENS APPEARANCES:**

## **15. CITY COUNCIL COMMITTEE REPORTS:**

## **16. RECESS: (IF APPLICABLE - FOR CITY CLERK'S USE)**

## **17. ADJOURNMENT:**

## **18. NEXT CITY COUNCIL MEETING:**

**TUESDAY, FEBRUARY 19, 2008**