

MINUTES

OF THE
REGULAR
CITY COUNCIL MEETING

JANUARY 5, 2010



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

JANUARY 5, 2010 MEETING MINUTES
(CNMB-CC MINUTES TAPE #432)

1. ROLL CALL OF THE CITY OFFICIALS

The meeting was called to order at 7:39 P.M. Present at the meeting were Mayor Myron Rosner, Vice Mayor Frantz Pierre, and Council Members Beth E. Spiegel, John Patrick Julien, Philippe Derosé, and Barbara Kramer. Council Member Phyllis S. Smith was excused with cause. 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 Rabbi David Lehrfield.

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The City Clerk announced that Item #5(A) is being withdrawn from the agenda, Item #7(B), Resolution R2010-2, is being pulled from the Consent Agenda, and that the presenters for Item #5(C) will be Mr. Larry Elliott and Mr. Ricardo Diaz.

5. PRESENTATIONS

A. SWEARING IN OF POLICE SERGEANT RICHARD RAND BY MAYOR MYRON ROSNER
Item was withdrawn. (See above)

B. PRESENTATION BY PATRICK MANLEY AND THE "TECHNO TEAM"
Presentation was made to the City Council by Mr. Patrick Manley and the "Techno Team" regarding the use of modern roundabouts instead of traffic lights. The City Council requested that the City Manager contact the Miami-Dade County Manager's Office and arrange for the Techno Team to make a presentation before the Miami-Dade County Commission. The City Council requested that the City Attorney bring back a resolution at the next meeting encouraging the Miami-Dade County Commission to consider utilizing modern roundabouts.

C. PRESENTATION OF APPRECIATION AWARD BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND DAVID MacNEVIN, PH.D., PROJECT ENGINEER, OF CAROLLO ENGINEERS TO MARTIN KING AND THE CITY COUNCIL FOR THEIR ASSISTANCE WITH A STUDY AT THE NORWOOD WATER TREATMENT PLANT
Presentation was made by Mr. Larry Elliott and Mr. Lewis Beilman.

6. APPOINTMENTS

A. NEW VICE MAYOR – JANUARY 2010 (Phyllis S. Smith)
Motion made by Vice Mayor Pierre, seconded by Councilman Derosé, to appoint Phyllis S. Smith as Vice Mayor. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

B. YOUTH ADVISORY BOARD (Vice Mayor Pierre)

Motion made by Vice Mayor Pierre, seconded by Councilman Derose, to appoint Caitlin Kienzle, Mykera Crawford, Andrew Last (Ex-Officio), Joshua Last (Ex-Officio), Saskia Lindo, Joel Mercado, John Miller, Jason Levine (Ex-Officio), and Daniel Solomon (Ex-Officio) to the Youth Advisory Board. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

7. CONSENT AGENDA

A. APPROVAL OF MINUTES

NOVEMBER 17, 2009
DECEMBER 1, 2009
DECEMBER 15, 2009 (Deferred)

B. RESOLUTIONS

Resolution No. R2010-1

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, OPPOSING/DENYING THE PROPOSED BOUNDARY CHANGES FOR SUNNY ISLES BEACH COMMUNITY SCHOOL AND FURTHER REQUEST THAT THE SCHOOL BOARD POSTPONE ANY CHANGES FOR THE UPCOMING 2010-2011 SCHOOL YEAR WHILE OTHER OPTIONS/PROPOSALS ARE INVESTIGATED AND CONSIDERED; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution No. R2010-2 – Item was pulled from Consent Agenda. (See page 1)

Motion made by Councilman Julien, seconded by Councilman Derose, to approve the Consent Agenda as amended. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

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

Mr. Baker reported that we've been planning, and this year we are moving toward groundbreaking, ribbon-cuttings, and construction. He provided a tentative schedule of some of the news worthy events for the new year:

- Late January 2010 - Uleta Recreation Center ground breaking.
- February 2010 - Eastern Shores Fire Rescue ribbon-cutting; the exterior work is expected to be completed the latter part of this month.
- Late January/Early February 2010 - the first Northeast 19th Avenue gateway sign should be in and there will be a ribbon-cutting scheduled at that time.
- Early April 2010 - Barry Schreiber Boundless Tot Lot ribbon-cutting.
- May 2010 – Allen Park renovations ribbon-cutting.
- June 2010 – the new Game Center ribbon-cutting; construction is set to begin for the Y.E.S. Center.
- August 2010 - Uleta Community Center ribbon-cutting.
- September 2010 - Phase I construction is planned for the Tennis Center.
- October 2010 - Phase I of the Mischon site is scheduled.

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

Ms. Siegel stated that mortgage foreclosure cases are being monitored in an effort to recoup outstanding liens and encumbrances that the City may have on properties. A check for \$90,000 was

recently received on a property stemming from a 2007 case resolving water service and code enforcement violations.

10. MAYOR'S DISCUSSION - MAYOR MYRON ROSNER

Subsequent to an inquiry from a resident regarding the lack of holiday decorations in the City, Mayor Rosner asked for input from the Council Members. The City Manager has advised that the decorations in storage are no longer usable. Mayor Rosner asked if Councilman Julien could bring this matter up for discussion at one of his Multi-Cultural Committee meetings. Mayor Rosner proposed, as an alternative, to ask if residents would be willing to participate in and form their own committees with their own funding sources, and decorate local properties with the permission of those property owners.

Councilman Julien reported that there had been a lively debate last year among the Multi-Cultural Committee members regarding holiday lights. He stated he would be happy to bring it up again and that he would talk to the Committee Chair and have the issue placed on the agenda. Councilman Julien was in favor of having festivities which will encompass everyone.

Councilwoman Spiegel suggested that, rather than religious decorations, they pick main areas of the City and frame the trees with lights from the end of November through the end of January as, when it gets dark early, those lights will also help illuminate the streets.

Councilman Derose suggested putting up a banner or flag saying "Seasons Greetings" at 163rd Street and 19th Avenue.

Councilwoman Kramer agreed with the suggestions of both Councilwoman Spiegel and Councilman Derose, and stated that we should buy these items now since everything is on sale.

Vice Mayor Pierre stated that he had also received e-mails from residents expressing that the City did not reflect a festive atmosphere for the holiday season. He was in favor of putting out a more festive atmosphere this year somehow.

By consensus, the City Council agreed that the Multi-Cultural Committee will be in charge of coming up with ideas for holiday decorating in the City.

11. 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 education, community events, and the census.

Allison Robie, 2131 NE 179 ST, North Miami Beach, FL spoke regarding City holiday lights, public information, and Council salaries.

Mubarak Kazan, 15564 NE 12 AVE, North Miami Beach, FL, spoke regarding advertising of ordinances, Amendment No. 4, holiday decorations, and code violation fees.

Councilwoman Spiegel requested that the City Clerk report back to the Council at the next meeting regarding the City's advertising.

Ketley Joachim, 210 NE 170 ST, North Miami Beach, FL, spoke regarding City beautification, including the Beautification Committee in holiday light planning, code enforcement, and collaboration.

Discussion among Council ensued regarding the Beautification Committee being included in the planning of any holiday lights. Mayor Rosner suggested that the Multi-Cultural Committee and the Beautification Committee each come up with suggestions to present to the Council at an upcoming Council Conference. Councilwoman Spiegel suggested setting a timeframe. The Council discussed further and directed the City Clerk to place the item on a March Council Conference agenda.

Marlen Martell, 17374 South Glades DR, North Miami Beach, FL, spoke regarding area crime.

12. **MISCELLANEOUS ITEMS** (None)

13. **WAIVER OF FEE** (None)

14. **BUSINESS TAX RECEIPT MATTERS - CITY CLERK**

A. GOLD COAST PROFESSIONAL, INC.
d/b/a GOLD COAST SCHOOL OF REAL ESTATE
3577 N.E. 163 STREET
NORTH MIAMI BEACH, FL.

JAMES GREER, PRESIDENT & JOHN GREER, VICE PRESIDENT

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR A PRIVATE SCHOOL (TRANSFER OF OWNERSHIP).

Motion made by Vice Mayor Pierre, seconded by Councilman Derose, to approve issuance of a Business Tax Receipt for a Transfer of Ownership for Gold Coast Professional, Inc. d/b/a Gold Coast School of Real Estate. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

B. ADVENTURE SCUBA DIVING
3447 N.E. 163 STREET
NORTH MIAMI BEACH, FL
THEODORE GAWRONSKI, OWNER

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

Motion made by Councilman Derose, seconded by Councilman Julien, to approve issuance of a Business Tax Receipt for Adventure Scuba Diving. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

15. **LEGISLATION**

A. **ORDINANCES – FIRST READING, BY TITLE ONLY**

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Ordinance No. 2010-1 for First Reading, by Title Only. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

Ordinance No. 2010-1

AN ORDINANCE AMENDING SECTION 2-32.2 OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA ALLOWING PERSONS TO SERVE ON MORE THAN ONE CITY ADVISORY BOARD, COMMISSION OR COMMITTEE SIMULTANEOUSLY; DISALLOWING PERSONS TO SERVE ON THE CODE ENFORCEMENT BOARD, THE PLANNING AND ZONING BOARD, THE CIVIL SERVICE BOARD OR THE PUBLIC UTILITIES COMMISSION AT THE SAME TIME; PROVIDING FOR SEVERABILITY; 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 follow individuals appeared before the City Council to express their opinions and concerns:

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

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

Motion made by Councilman Derose, seconded by Councilman Julien, to approve Ordinance No. 2010-1, on First Reading, by Title Only. In a roll call vote, with Councilwoman Spiegel dissenting and Councilwoman Smith absent, the motion passed. (**Motion carried 5-1-1**)

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, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

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

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

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

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

Motion made by Councilman Julien, seconded by Councilman Derose, to adopt Ordinance No. 2009-18 on Second and Final Reading. In a roll call vote, with Councilwomen Spiegel and Kramer dissenting and Councilwoman Smith absent, the motion passed. (**Motion carried 4-2-1**)

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Ordinance No. 2009-31 for Second and Final Reading. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

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

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

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

Motion made by Councilman Derose, seconded by Councilman Julien, to adopt Ordinance No. 2009-31 on Second and Final Reading. In a roll call vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

Motion made by Councilman Julien, seconded by Councilman Derose, to introduce Resolution No. R2010-2. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).
Note: This item was pulled from the Consent Agenda. (See page 1)

Resolution No. R2010-2

A RESOLUTION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; AUTHORIZING THE ISSUANCE OF A TAXABLE AD VALOREM REVENUE NOTE, SERIES 2010 OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED A REVOLVING AMOUNT OF \$3,500,000 TO FINANCE GENERAL OPERATING EXPENSES; PROVIDING THAT THE NOTE SHALL BE PAYABLE FROM AD VALOREM REVENUES AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Councilman Derose, seconded by Councilman Julien, to adopt Resolution No. R2010-2. In a voice vote, with Councilwoman Smith absent, all voted in favor. (**Motion carried 6-0-1**).

16. CITY COUNCIL COMMITTEE REPORTS

VICE MAYOR PIERRE

GOOD WISHES. Happy New Year to everyone. I hope 2010 will be a much better year than 2009 was. Happy New Year -- I hope you become wealthier, healthier, and be more engaged in the City. I would like to see our citizens to be more proactive, not reactive. We are open to suggestions, so

don't wait until the last minute, or after the fact, to come to us. We are here to serve you and we would be more than happy to continue doing this in 2010. Happy New Year to our employees, our residents, our Police Department, and I hope 2010 will be a much better year than 2009 was.

CENSUS. Remember, 2010 is a very important year. It is the year of census. Please be involved. Get all of your friends, family, and relatives involved because we need the numbers. I know we have the numbers; we need to prove it.

COUNCILWOMAN SPIEGEL

GOOD WISHES. Happy New Year, a healthy, happy, prosperous New Year to all of our residents, to our City.

SCHOOL BOUNDARY CHANGES. On December 17th, we delivered to the School Board a packet containing seven proposals to deal with the proposed school boundary changes. Some of them were as simple as please don't do anything while we have time for a year to take a look at this and some of them were pretty far-ranging, asking the School Board to consider creating an early childhood learning center which would then alleviate the overcrowding at Sunny Isles Beach. I want to thank staff and Dr. Baker for their help, their input. Patrick, I know that you put the proposals and the calendar online, or Ms. Weisblum. I just don't know where online it is, so if somebody could just speak up and tell our residents where to go look for the proposals. Mr. Patrick Rosiak, IT Director, responded that it is on the homepage, very first item, click on the title bar and it will link you to the appropriate documents. Councilwoman Spiegel stated that she would urge everyone to take a look at those and also to contact the School Boundary Committee. Let them know that you want the matter tabled for one year while we look at it or pick the proposal that you like the best. I have personally requested that I be permitted to address the ABC Committee. Anybody can request to address the ABC Committee. The more input that the ABC Committee receives, the better for our residents, for our students, so I would encourage everyone to do that. The meetings start January 25th, but the School Board sets the schedule, so we don't know yet. Just as an aside for all of you who are complaining about not getting information, I made a public records request of the Dade County School Board on December 11th. On January 4th, I got my first response acknowledging receipt of my public records request with no indication as to when I could expect a response. And, I'm informed by the City Attorney that if I want to do something about it, I actually have to file a lawsuit. So, hopefully they'll respond.

HOME RENTALS. The second matter that I would like all of our residents -- because two of our residents have grabbed me and taken me to look -- there are homes that are being rented. There was an ordinance passed that says that those homes that were already there are grandfathered in, but if you are a neighbor of one of these homes and you wake up and find ten cars parked in the driveway, on the front yard, on the grass, in the swale -- if you find bags of garbage lying on the ground and broken bottles, call the City Manager's Office, call Code Enforcement. We're going to aggressively cite people. If you wake up and find a motor home hooked up to electricity and water and parked in the front yard and that motor home is at least 40 feet long, call the City Manager's Office, call Code Enforcement, because that's not permitted and you shouldn't have to have that going on next door to you. So, please, please, please become proactive because the Code Enforcement Officers don't know that this is going on unless you let them know and, unless you see me walking my dog at 6:30 in the morning and grab me to get me to come look at it, there's not a direct pipeline in unless the residents gets proactive. So, please do that.

LT. PRICE. On a completely different note, on behalf of our City family, me personally, one of our Police Officers, who was a Reserve Officer who gave 43 years to this City, has submitted his resignation and is moving up to Lake County. I want to wish Lt. Price and his family every happiness; good luck. I have enjoyed Bill Price and our conversations for the nine years that I've known him. I think our City will miss him, but I wish him every good luck and I hope that he and his wife are happy in their new home.

COUNCILMAN JULIEN

GOOD WISHES. I, too, would like to wish everybody a very healthy and happy New Year. May 2010 be exceedingly better than 2009 because I know 2009 was very rough on a lot of people; but, unfortunately, it's probably wishful thinking because the outlook for 2010 is not very good as far as economically.

GENERAL COMMENTS. I have to congratulate my colleague, Councilwoman Spiegel, because here's a person who has no children, but yet she's taking on the fight for school boundary changes and that obviously affects people who have children. And that's like a perfect segue into what this Council embodies to me. Mr. Kazan, I really love you and every day it gives me a reminder as to why it is that people should always try to change only themselves and not other people. There are so many things that happen when you're not looking and there are so many people who are so actively pursuing better for others and just because you don't see it and just because you don't know it and you don't understand it, doesn't mean that it's not happening. There was a perfect example. Every day I try to make a better John Patrick Julien and I hope that everybody out there tries to make a better whoever it is that they are.

MEDICAL RECORDS. And, I say that also because last week I came back from a glorious vacation and the first call I get is from the State Attorney's Office wanting to know if I would open up my medical records because obviously there are some people who think that there are some improprieties concerning the reimbursements that I received from the City, even though they were assured by the City Manager, the City Attorney, and City Clerk that there were absolutely no improprieties; that everything that I did was in accordance with the rules that were in place in the City of North Miami Beach way before I even got elected, but still I have to have a conversation with the State Attorney's Office. Well, I am going to share on the record what I said with the State Attorney. I have absolutely no problems opening up my medical records as long as it's not just a witch hunt against John Patrick Julien and that whoever it is that wants to see my medical records and what my reimbursements were for, want to see the same for everybody else, present Council and previous Council, and with that I wish all of you a great evening.

COUNCILMAN DEROSE

GOOD WISHES. Good evening. Happy New Year to you all. Today is the day of our first meeting for the year 2010: a new beginning to all of us. May this year be one of our best, a year of prosper and rebirth to our City. To some degree we all make mistakes in our life and what we do we learn from our mistakes and be a better person. If someone can show me anyone who's never made a mistake or is always right, then I can show you someone who's never been right and is always wrong. So, it's always good for us to learn from our mistakes. So, for the year 2009, I hope that we go back and think about the mistakes that we made for the 2009 and better prepare ourselves for the 2010, and I hope that in this new year for the Council to set aside any differences, if we have any, and let's focus to the best interests to the citizens of North Miami Beach and we really can say that we're a City of progress, a City of growth and success. Thank you.

COUNCILWOMAN KRAMER

GENERAL COMMENTS. That was so well said – I'll tell you, our Committee reports are great at the end of the year and the beginning of the year. I typed mine. Happy 2010 North Miami Beach and I don't want you to worry that my New Year's Resolution is that I'm going to be speaking more because I'm not. This is just this evening and I have a lot to say, so please indulge me. It's great to get back into the swing of things after a short relaxing break. I had about a week off.

BICYCLE GIVEAWAY. There were two great events that I experienced last month: one was being a part of the Latin Builder's Association Holiday Bike Giveaway. Ten needy children from North Miami Beach were selected on the request of County Commissioner Sally Heyman to ride down to Ocean Bank and pick up their brand new bicycles. The children were chosen from our Police Department and were asked to meet in front of City Hall on December 19th. Commissioner Sally Heyman, along with Community Patrol Officers Rebecca Hasty, Chris Starnes, Crime Prevention Officer John Philome, and our North Miami Beach Explorers, Ernest Vincent, Stevens Dosley, Ashley Hernandez, Duante Bell, and Londre Capron and I accompanied these excited kids to retrieve an early holiday present. It was a beautiful and generous gesture and I want to thank Commissioner Heyman and our fine Police Department for making it happen.

WATER UTILITY PLANT. My next great event was a field trip to our Water Utility Plant. My husband and a friend of mine were lucky enough to have two great guides, Dr. Jeff An and Dr. Baker. This was a real treat for two reasons. One was a visit to the water plant which I'm sure in my lifetime I would never do, and the second treat was, walking through there, I was so proud that this was our City's facility. It is quite an accomplishment and I want to thank so much the past Council Members who had the confidence and the foresight of seeing this utility becoming the great success that it is today and voting for the necessary resolutions that it took to do this.

TOWN HALL MEETING. I would like to remind everyone of the upcoming Town Hall Meeting at the McDonald Center on Wednesday, January 13th. Our guests will be a panel of Dade County Judges who will answer or direct the residents to issues they may have regarding domestic violence, landlord/tenant issues, condo law, foreclosures, and other topics that are affecting many. The meeting starts at 6:30 P.M. and I encourage everyone to come. This is an informative event that our local judges are participating in.

SALARY WORKSHOP. And, last but not least, I would like to make a date this evening for a salary workshop for the Council. We have matters that I feel we have overlooked such as the qualification fees for candidates running for election, as well as other details. The citizens are not happy and I personally promised that I would listen to them if I was elected and, so now that I'm here, I do owe it to them and all of us that we revisit the resolution that was tabled. I would like to schedule a workshop for this and let's try to resolve this once and for all. I wanted to just also explain that many of us on the Council knew that these changes were needed and most residents realize now, from previous discussions that we have had, that the change in times needs to be reflected on how we are compensated for our work at City Hall. So, that is also something that clearly I see a difference in with the citizens after we had come up with this resolution. They weren't happy with it, but they realized we do need to make things right for all of us, but for all newly coming in, we've got issues, especially with the qualification fee.

In response to Councilwoman Kramer's comments, Mayor Rosner pointed out that a discussion on qualifying fees has been scheduled as a pre-Council item on the January 19, 2010 agenda. He reiterated the

discussions and actions previously taken by Council with regard to salaries, stating he personally believes that we have worked it to death. Mayor Rosner stated that the qualifying fee is something we are addressing and we're going to have a workshop on the 19th.

Councilwoman Spiegel stated that she has spoken with the City Attorney regarding a draft resolution to address shortcomings in the resolution and change the compensation package so that it would lower the qualifying fees before the next election.

Vice Mayor Pierre added that he also spoke to the City Manager to reassess the compensation/salary plan. It was his preference that they wait until the City Manager has the necessary information available to present at a future workshop. He was in favor, however, of tackling the qualifying fees issue for now.

In response to the Mayor's inquiry, the City Clerk advised that the only way to change the qualifying fee is through a Charter amendment, which must be approved by the electorate.

MAYOR ROSNER

GENERAL COMMENTS. Happy healthy New Year to everybody. Mr. Wick, great presentation upstairs. Thank you very much for the workshop, Mr. Delaney and Mr. Knox. Looks like our Community Redevelopment Agency is moving forward as part of what the City Manager's doing, so it's good that everything's synergetic and working together.

WHEELCHAIR TENNIS TOURNAMENT. I would like to announce that North Miami Beach has been sanctioned for the first Wheelchair Tennis Tournament coming up in April and it will be on our new hard courts. This will be our first year; hopefully, next year we'll not only be sanctioned from the USTA as a wheelchair tennis facility. Next year, we might be able to have up and running all of the courts. I was not aware that you could play wheelchair tennis on clay courts; and, if so, we would be one of the first in this quadrant in Florida to be able to have a Wheelchair Tennis Tournament not only on clay courts and hard courts, but to be able to use both. That could be great for the International Tennis Federation. They told me that there are few countries that would have wheelchair tennis. I think one of them is Turkey. They have a Wheelchair Tennis Tournament on clay. I look forward to that possibly next year. We have 12 clay courts and 6 hard courts.

PUBLIC UTILITIES. You saw the presentation of the Public Utilities Commission. The Councilwoman saw the "proof is in the pudding," and it is amazing and I am very proud to be the liaison for that Board.

17. ADJOURNMENT

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 10:11 P.M. on a motion by Councilman Julien, seconded by Vice Mayor Pierre. In a voice vote, with Councilwoman Smith absent, all voted in favor. **(Motion carried 6-0-1)**

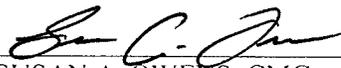
18. NEXT REGULAR CITY COUNCIL MEETING

Mayor Rosner announced that the next Regular Meeting of the City Council will be on Tuesday, January 19, 2010.

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 TEN (10) 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 5TH DAY OF JANUARY, 2010.

(S E A L)



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