

# MINUTES

OF THE  
REGULAR  
CITY COUNCIL MEETING

NOVEMBER 17, 2009



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

\* \* \* \* \*

**MINUTES**  
*(CNMB-CC MINUTES TAPE #429)*

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

MAYOR	MYRON ROSNER, PRESIDING
VICE MAYOR	FRANTZ PIERRE
COUNCILWOMAN	BETH E. SPIEGEL
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JOHN PATRICK JULIEN
COUNCILMAN	PHILIPPE DEROSE
COUNCILWOMAN	BARBARA KRAMER
CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SUSAN A. OWENS

**2. INVOCATION:** RABBI EFRAIM PALGON, TORAS EMES

**3. SALUTE TO THE AMERICAN FLAG**

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

NONE

**5. PRESENTATIONS**

**A.** PRESENTATION OF A CHIEF'S MERITORIOUS PUBLIC SAFETY AWARD BY CHIEF RAFAEL P. HERNANDEZ, TO CARL MILLER, OUTBACK EMPLOYEE, WHO ASSISTED IN CATCHING FOUR ARRESTEES INVOLVED IN THE ARMED ROBBERY OF THE OUTBACK STEAK HOUSE.

PRESENTATION WAS MADE BY CHIEF RAFAEL P. HERNANDEZ.

**B.** SWEARING IN OF THE NEW ASSISTANT CITY ATTORNEY MARIA J. SANTOVENIA.

SWEARING IN WAS PERFORMED BY MAYOR MYRON ROSNER.

**6. CONSENT AGENDA**

**A. APPROVAL OF MINUTES**

OCTOBER 20, 2009

NOVEMBER 3, 2009 (DEFERRED)

**B. RESOLUTIONS:**

**RESOLUTION NO. R2009-69**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRAN CONSTRUCTION, INC. FOR THE N.E. 19<sup>TH</sup> AVENUE ROADWAY IMPROVEMENT PROJECT.

**RESOLUTION NO. R2009-70**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF NORTH MIAMI BEACH, FLORIDA; MAKING FINDINGS; AUTHORIZING A STATE REVOLVING FUND LOAN APPLICATION IN THE AMOUNT OF \$3,000,000.00 FOR THE NORWOOD-OEFFLER WATER TREATMENT FACILITY AND ASSOCIATED WELL FIELD; REAFFIRMING THE WATER FACILITY PLAN ACCEPTANCE; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO PROVIDE ASSURANCES; GRANTING AUTHORITY TO ENTER INTO A LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; RECOGNIZING STATUTORY AUTHORITY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

**RESOLUTION NO. R2009-71**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE TRANSIT AGENCY FOR FEDERAL FUNDING PASS-THROUGH ARRANGEMENTS PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

**RESOLUTION NO. R2009-72**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY TO AUTHORIZE THE COUNTY TO ISSUE PERMITS TO FILM AND STILL PHOTOGRAPHY PRODUCTION COMPANIES WISHING TO USE CITY FACILITIES AND SERVICES.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILMAN DEROSE to APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED.

**7. CITY MANAGER'S REPORT**

**KELVIN L. BAKER**

CITY MANAGER BAKER REPORTED THAT THE CITY HISTORY BOOK HAS BEEN COMPLETED. HE STATED THAT THE CITY PROVIDED EACH OF THE COUNCILPERSONS WITH SOME COPIES AND WE WANT TO ENCOURAGE THE COUNCIL THAT AS THEY IDENTIFY INDIVIDUALS IN THE COMMUNITY THAT THEY WOULD LIKE TO GIVE A COURTESY COPY TO, THAT YOU SEND A LETTER ATTACHED WITH THE BOOK AS JUST A TOKEN OF THEIR CONTRIBUTION TO THE CITY. IF YOU'RE LOOKING FOR PERHAPS SOME SUGGESTED INDIVIDUALS THAT YOU CAN POSSIBLY HONOR WITH A COPY, THERE ARE SEVERAL INDIVIDUALS IN THE BOOK THAT ARE BEING RECOGNIZED AND ACKNOWLEDGED; AND, SO, YOU CAN START FROM THERE IF YOU NEED SOME ASSISTANCE WITH THAT.

A. EASTERN SHORES FIRE STATION UPDATE

THE CITY MANAGER STATED THAT, AS HE REPORTED AT OUR LAST MEETING, ON OCTOBER 30<sup>TH</sup> MIAMI-DADE OFFICIALLY TOOK OVER THE STATION. THE RESCUE UNIT IS CURRENTLY RESIDING AND OPERATING OUT OF AN R.V. WHILE THE INTERIOR RENOVATIONS ARE BEING DONE THERE BY THE MIAMI-DADE COUNTY CREW. THE FORMER LAYOUT OF THE FACILITY WAS ORIGINALLY A 2-BEDROOM; AND, PART OF THE RENOVATION EFFORTS IS TO CONVERT IT TO A THREE-BEDROOM MODULE. WHAT THAT DOES IS THAT THAT GIVES THE COUNTY THE CAPABILITY WHEN THEY ARE ABLE TO UPGRADE THEIR STAFFING TO A THREE PERSON CREW, BUT THAT IS PURELY UP TO THEM. THE INTERIOR RENOVATION OF THE BUILDING IS SCHEDULED TO BE COMPLETED BY NOVEMBER 23<sup>RD</sup>. AT THAT POINT IN TIME, THEY WILL OCCUPY THE FACILITY; HOWEVER, THERE IS STILL MUCH WORK THAT THEY WOULD LIKE TO DO TO THE EXTERIOR OF THE BUILDING AND THAT PROCESS WILL COMMENCE DURING THE MONTH OF DECEMBER. WE ARE HOPING IN EARLY JANUARY TO INVITE EACH OF YOU, AS WELL AS THE COMMUNITY, OUT FOR A NICE DEDICATION OF THIS FACILITY. WE THINK IT IS A HISTORICAL MOMENT FOR OUR ORGANIZATION AND WE LOOK FORWARD TO INVITING THE COUNTY MAYOR AND THE COUNTY FIRE CHIEF AND ALL THOSE THAT WERE VERY INSTRUMENTAL AT MAKING THIS POSSIBLE.

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COUNCILMAN JULIEN, COUNCILWOMAN SPIEGEL, AND COUNCILWOMAN SMITH STATED THAT THEY GAVE, OR ARE GIVING, BACK THE COPIES OF THE CITY HISTORY BOOK PROVIDED TO THEM. THE CITY ATTORNEY ADVISED THOSE COUNCILPERSONS THAT DID NOT RETURN THEM THAT THEY WILL NEED TO REPORT THEM SINCE THEIR VALUE IS OVER \$100.00. IF THEY CHOOSE TO ACCEPT THEM AND CHOOSE TO DONATE THEM TO INDIVIDUALS IN THE COMMUNITY WHO THEY BELIEVE DESERVE A COPY BECAUSE OF THEIR SERVICE TO THE CITY. SHE SUGGESTED INCLUDING WITH THE BOOK A LETTER TO THAT EFFECT AND KEEPING A COPY SO THAT THERE ARE NO PROBLEMS AT THE REPORTING STAGE. IN LIEU OF INDIVIDUAL COUNCILPERSONS DONATING BOOKS, COUNCILWOMAN SMITH SUGGESTED PRESENTING A COPY OF THE BOOK EACH MONTH AT A COUNCIL MEETING TO A COMMUNITY LEADER IN RECOGNITION OF WHAT THEY HAVE DONE FOR THE COMMUNITY. SHE STATED THAT SHE WILL WORK WITH THE MANAGER TO GET SOME NAMES.

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**8. CITY ATTORNEY'S REPORT**  
**DARCEE S. SIEGEL**

A. THE CITY ATTORNEY STATED THAT SHE WAS THRILLED TO HAVE A NEW ATTORNEY ON BOARD. ONE THING SHE FAILED TO MENTION THOUGH IS THAT THE NEW ASSISTANT CITY ATTORNEY, MARIA J. SANTOVENIA, COMES WITH AN IMMENSE AMOUNT OF FORECLOSURE EXPERIENCE. ASSISTANT CITY ATTORNEY SANTOVENIA WORKED AT A LOCAL FIRM WHERE PROBABLY 95% OF THE CASES THAT ARE FILED IN SOUTH FLORIDA ARE INVOLVED. THE REASON SHE IS BRINGING THIS TO YOUR ATTENTION, YOU CAN SEE THAT WE HAVE 177 MORTGAGE FORECLOSURE CASES RIGHT NOW. AT ONE POINT A FEW YEARS BACK, THE CITY'S INTENTION WAS TO ALSO DO SOME COLLECTION WORK ON INDIVIDUALS WHO, NOT HOMESTEADED PROPERTIES.

BUT ON OTHER PROPERTIES WHERE THE CITY IS OWED AN IMMENSE AMOUNT OF FUNDS THROUGH CODE ENFORCEMENT OR THROUGH OTHER FUNDS. NOW WE WILL HAVE SOMEONE ON BOARD THAT WILL BE ABLE TO GO INTO COURT, FILE LAWSUITS, AND RECOUP THE CITY'S MONIES IN THAT WAY.

9. **PUBLIC COMMENT**

**TO ALL CITIZENS APPEARING UNDER PUBLIC COMMENT**

THE COUNCIL HAS A RULE WHICH DOES NOT ALLOW DISCUSSION ON ANY MATTER WHICH IS BROUGHT UP UNDER PUBLIC COMMENT. 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. UNDER NO CIRCUMSTANCES WILL PERSONAL ATTACKS, EITHER FROM THE PUBLIC OR FROM THE DAIS, BE TOLERATED.

**SPEAKING BEFORE THE CITY COUNCIL**

THERE IS A THREE (3) MINUTE TIME LIMIT FOR EACH SPEAKER DURING PUBLIC COMMENT AND A THREE (3) MINUTE TIME LIMIT FOR EACH SPEAKER DURING ALL PUBLIC HEARINGS. 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.

**NOTE:** IN THE COUNCIL CHAMBERS, CITIZEN PARTICIPANTS ARE ASKED TO COME FORWARD TO THE PODIUM, GIVE YOUR NAME AND ADDRESS, AND NAME AND ADDRESS OF THE ORGANIZATION YOU ARE REPRESENTING, IF ANY. IF YOU ARE SPEAKING ON A PUBLIC HEARING ITEM, PLEASE SPEAK ONLY ON THE SUBJECT FOR DISCUSSION. THANK YOU VERY MUCH, IN ADVANCE, FOR YOUR COOPERATION.

**NOTICE TO ALL LOBBYISTS**

ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES IS REQUIRED TO REGISTER AS A LOBBYIST WITH THE CITY CLERK PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY BOARDS, COMMITTEES OR THE CITY COUNCIL. A COPY OF THE APPLICABLE ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK WHICH IS LOCATED ON THE GROUND FLOOR OF CITY HALL OR ON THE CITY'S WEBSITE.

**PLEDGE OF CIVILITY**

A RESOLUTION WAS ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH RECOGNIZING THE IMPORTANCE OF CIVILITY, DECENCY AND RESPECTFUL BEHAVIOR IN PROMOTING CITIZEN PARTICIPATION IN A DEMOCRATIC GOVERNMENT. THE CITY OF NORTH MIAMI BEACH CALLS UPON ALL RESIDENTS, EMPLOYEES, AND ELECTED OFFICIALS TO EXERCISE CIVILITY TOWARD EACH OTHER. (RESOLUTION NO. R2007-57, 11 06 07)

- A. CHARLES LOEB  
16800 N.E. 15 AVE  
North Miami Beach, FL  
RE: BROADCASTING AND PUBLICIZING OF COUNCIL MEETINGS, CENSUS 2010, CITY'S CREDIT RATING, WATER CONSERVATION EFFORTS, TURKEY GIVEAWAY BY SALLY HEYMAN, AND THE CITY GARAGE SALE
- B. JOSEPH PAGLINO  
1270 N.E. 162 ST  
North Miami Beach, FL  
RE: CITY CLEANLINESS
- C. MARIA HAUCK  
2023 N.E. 179 ST  
North Miami Beach, FL  
RE: PROMPT POLICE RESPONSE, TREATMENT OF BOARD APPLICANT, AND ETHICS INVESTIGATION
- D. ALLISON ROBIE  
2131 N.E. 179 ST  
North Miami Beach, FL  
RE: ETHICS INVESTIGATION
- E. MUBARAK KAZAN  
15564 N.E. 12 AVE  
North Miami Beach, FL  
RE: RECOGNITION OF MUSLIM HOLIDAYS, INPUT ON CONSENT AGENDA, AND ADVERTISING MEETINGS IN THE HERALD
- F. BARBARA FALSEY  
3660 N.E. 166 ST  
North Miami Beach, FL  
RE: CITIZEN INPUT, PUBLIC AWARENESS, COUNCIL DISCUSSION, AND CITIZENS' BILL OF RIGHTS
- G. RICHARD RIESS  
23 N.W. 169 ST  
North Miami Beach, FL  
RE: VETERANS' DAY AND SERVICE
- H. BRUCE LAMBERTO  
3420 N.E. 165 ST  
North Miami Beach, FL  
RE: COUNCIL COMPENSATION, TRAVEL EXPENSES, AND LEADING BY EXAMPLE

**10. MISCELLANEOUS ITEMS**

NONE

**11. WAIVER OF FEE**

NONE

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

NONE

**13. LEGISLATION**

**ADMINISTRATION OF TESTIMONY OATH**

PLEASE BE ADVISED THAT, DUE TO RECENT SUPREME COURT RULINGS REGARDING CERTAIN TYPES OF LEGISLATION, INDIVIDUALS WISHING TO SPEAK ON THE FOLLOWING ITEMS **MUST** BE SWORN IN PRIOR TO PROVIDING ANY TESTIMONY:

*ORDINANCE NO. 2009-24*

*ORDINANCE NO. 2009-25*

**A. ORDINANCES – FIRST READING, BY TITLE ONLY (SERIATIM NO. 2009-30)**

**Ordinance No. 2009-28** entitled "AN ORDINANCE AMENDING CHAPTER II STRUCTURE OF CITY GOVERNMENT, ARTICLE VII BOARDS, COMMITTEES AND COMMISSIONS, SECTION 2-56 TITLED REDEVELOPMENT ADVISORY BOARD, OF THE CODE OF ORDINANCES OF NORTH MIAMI BEACH, FLORIDA; MEMBERSHIP, TERMS; ELIGIBILITY; MEETINGS AND QUORUM; ADDING SELECTION OF OFFICERS AND HANDLING OF VACANCIES ON THE BOARD; 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", was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE ON FIRST READING, BY TITLE ONLY. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, SECONDED by VICE MAYOR PIERRE TO ADOPT ORDINANCE NO. 2009-28 ON FIRST READING, BY TITLE ONLY.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILWOMAN KRAMER TO AMEND ORDINANCE NO. 2009-28 TO INDICATE THAT THE ALTERNATES SHALL SERVE ON A ROTATING BASIS. MOTION CARRIED.

MOTION by COUNCILWOMAN SMITH, SECONDED by VICE MAYOR PIERRE TO APPROVE ORDINANCE NO. 2009-28 AS AMENDED ON FIRST READING, BY TITLE ONLY. MOTION CARRIED.

BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

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Names of Party(ies) Appearing:

1. ALLISON ROBIE  
2131 N.E. 179 ST  
North Miami Beach, FL
  2. MUBARAK KAZAN  
15564 N.E. 12 AVE  
North Miami Beach, FL
  3. JOSEPH PAGLINO  
1270 N.E. 162 ST  
North Miami Beach, FL
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**Ordinance No. 2009-29** entitled "AN ORDINANCE AMENDING CHAPTER XII OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED LOCAL BUSINESS TAX RECEIPTS AND REGULATIONS; AMENDING SECTION 12-20 ENTITLED TOWING; EXTENDING THE SITE LOCATION OF TOWED OR REMOVED VEHICLES; REQUIRING A PERMIT FROM THE CITY'S BUILDING DEPARTMENT FOR ALL EXISTING AND NEW SIGNAGE, AND INCREASING THE PERMIT FEE; PROVIDING FOR THE RATES OF TOWED OR REMOVED VEHICLES NOT TO EXCEED ANY RATES SET BY MIAMI-DADE COUNTY TOWING ORDINANCE; REQUIRING PROOF OF ALL DRIVERS, DRIVING LICENSES, CRIMINAL HISTORY AND DRUG SCREENING TESTING, DISALLOWING UNAUTHORIZED SIGNAGE ON THE TOWING VEHICLES; 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", was introduced by MOTION of COUNCILWOMAN SPIEGEL, SECONDED by COUNCILWOMAN SMITH ON FIRST READING, BY TITLE ONLY. MOTION CARRIED.

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILMAN DEROSE to ADOPT ORDINANCE NO. 2009-29 ON FIRST READING, BY TITLE ONLY.

MOTION by COUNCILWOMAN SMITH, SECONDED by VICE MAYOR PIERRE to AMEND ORDINANCE NO. 2009-29 TO REFLECT THE FOLLOWING. MOTION CARRIED.

1. ADDITION OF A PROVISION STATING THAT A SAFE PLACE MUST BE PROVIDED FOR CUSTOMERS WAITING FOR THEIR VEHICLES TO BE RETRIEVED.
2. AMEND SECTION 12-20.2(i) TO STATE THAT VEHICLES MUST BE RELEASED WITHIN ONE-HALF HOUR BETWEEN THE HOURS OF 8:00 A.M. AND 12:00 A.M., AND WITHIN ONE AND ONE-HALF HOURS BETWEEN THE HOURS OF 12:01 A.M. AND 8:00 A.M.
3. ADDITION TO SECTION 12-20.2(i) OF A PROVISION THAT ALL RECEIPTS ISSUED SHALL STATE THAT ALL FEES HAVE BEEN PAID IN FULL.
4. ADDITION TO SECTION 12-20.6(d)(3) OF A PROVISION THAT THE TOWING COMPANY SHALL PAY FOR THE DRUG TEST AND THAT THE EMPLOYEE BEING TESTED SHALL AUTHORIZE THAT THE RESULTS BE PROVIDED TO THE CITY.

5. AMEND SECTION 12-20.2(b) TO STATE THAT UPON A REQUEST TO OPEN THE SITE TO RETRIEVE A VEHICLE BETWEEN THE HOURS OF 8:00 P.M. AND 8:00 A.M., THE OPERATOR MUST RESPOND TO THE SITE WITHIN ONE HOUR.

MOTION by VICE MAYOR PIERRE. SECONDED by COUNCILWOMAN SMITH to ADOPT ORDINANCE NO. 2009-29 AS AMENDED ON FIRST READING. BY TITLE ONLY.

MOTION CARRIED.

BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

Names of Party(ies) Appearing:

1. CHIEF RAFAEL L. HERNANDEZ, City of North Miami Beach Police Department  
16901 N.E. 19 AVE  
North Miami Beach, FL
2. ALLISON ROBIE  
2131 N.E. 179 ST  
North Miami Beach, FL
3. MUBARAK KAZAN  
15564 N.E. 12 AVE  
North Miami Beach, FL
4. BRUCE LAMBERTO  
3420 N.E. 165 ST  
North Miami Beach, FL
5. JOSEPH PAGLINO  
1270 N.E. 162 ST  
North Miami Beach, FL
6. BRIAN O'CONNOR, City of North Miami Beach Chief Procurement Officer  
17011 N.E. 19 AVE  
North Miami Beach, FL

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IN ADDITION TO THE ABOVE AMENDMENTS COUNCILWOMAN SPIEGEL REQUESTED ADDITIONAL RESEARCH AS TO WHETHER OR NOT THE STATED AMOUNTS OF INSURANCE COVERAGE ARE ADEQUATE. COUNCILWOMAN SMITH REQUESTED ADDITIONAL INFORMATION ON WHAT OTHER CITIES CHARGE FOR THEIR TOWING MEDALLIONS AND WHETHER THE ACT OF A COMPANY'S PHONE LINE BEING BUSY FOR FIVE CONTINUOUS MINUTES SHOULD CONSTITUTE A VIOLATION PUNISHABLE BY SIXTY DAYS IN JAIL AND A FINE NOT TO EXCEED \$500.00.

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**B. ORDINANCES - SECOND AND FINAL READING**

**Ordinance No. 2009-24** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER 24, SECTION 22, ENTITLED "DEFINITIONS", OF THE ZONING AND LAND DEVELOPMENT CODE TO CHANGE THE DEFINITIONS OF HOTEL AND MOTEL AND TO ADD DEFINITIONS FOR PUBLIC LODGING ESTABLISHMENTS; RESORT CONDOMINIUM; NON-TRANSIENT APARTMENT OR ROOMING HOUSE; TRANSIENT APARTMENT OR ROOMING HOUSE; ROOMING HOUSE, AND RESORT DWELLING; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE, was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE ON SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, SECONDED by COUNCILWOMAN SPIEGEL to ADOPT ORDINANCE NO. 2009-24 ON SECOND AND FINAL READING.

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CLERK'S NOTES: AT 9:49 P.M. MAYOR ROSNER PASSED THE GAVEL TO VICE MAYOR PIERRE AND TEMPORARILY LEFT THE ROOM. THE MAYOR RETURNED AND RESUMED THE CHAIR AT 10:01 P.M.

AT 10:05 P.M. VICE MAYOR PIERRE TEMPORARILY LEFT THE ROOM.

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MOTION by COUNCILWOMAN SMITH to AMEND ORDINANCE NO. 2009-24 TO CHANGE THE TERM "RESORT CONDOMINIUM" TO "CONDOMINIUM". MOTION FAILED,  
DUE TO LACK OF A SECOND.

MOTION by COUNCILMAN DEROSE, SECONDED by COUNCILMAN JULIEN to ADOPT ORDINANCE NO. 2009-25 ON SECOND AND FINAL READING. MOTION CARRIED,  
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	ABSENT	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 6 YES;
COUNCILMAN JULIEN	YES	0 NO; 1 ABSENT)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

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**JENNINGS DISCLOSURES – BELOW ARE THE EX-PARTE COMMUNICATIONS REQUIRED TO BE DISCLOSED BY THE JENNINGS REQUIREMENT.**

- COUNCILWOMAN SPIEGEL SPOKE WITH GUY TENENBAUM AND ERIC HARARI.
- COUNCILWOMAN SMITH SPOKE WITH GUY TENENBAUM, ERIC HARARI, AND STANLEY PRICE.

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Names of Party(ies) Appearing:

1. CHARLES LOEB  
16800 N.E. 15 AVE  
North Miami Beach, FL.
2. ALLISON ROBIE  
2131 N.E. 179 ST  
North Miami Beach, FL.
3. MUBARAK KAZAN  
15564 N.E. 12 AVE  
North Miami Beach, FL.
4. MARIA HAUCK  
2023 N.E. 179 ST  
North Miami Beach, FL.
5. ROBERT NIX, City of North Miami Community Development Director  
17050 N.E. 19 AVE  
North Miami Beach, FL.

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AT 10:25 P.M. VICE MAYOR PIERRE RETURNED TO THE DAIS.  
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**Ordinance No. 2009-25** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING A NEW SECTION OF THE ZONING AND LAND DEVELOPMENT CODE, MAKING IT UNLAWFUL FOR OWNERS OF SINGLE FAMILY HOMES AND TOWNHOUSES, EXCEPT IN THE MH-1 ZONING DISTRICT, TO RENT OR LEASE A DWELLING FOR A PERIOD OF LESS THAN THREE MONTHS OR MORE THAN THREE TIMES IN A TWELVE MONTH PERIOD; PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR THE CONTINUATION OF CERTAIN SHORT TERM RENTALS THAT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; REQUIRING EXISTING SHORT TERM RENTALS TO APPLY FOR A BUSINESS TAX RECEIPT FOR EACH PROPERTY PURSUANT TO SECTION 12-31(87)(B) OF THE CITY CODE; ESTABLISHING REQUIREMENTS FOR OBTAINING AND CONTINUING A BUSINESS TAX RECEIPT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE, was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE ON SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILMAN DEROSE to ADOPT ORDINANCE NO. 2009-25 ON SECOND AND FINAL READING. MOTION CARRIED.  
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	NO
COUNCILWOMAN SPIEGEL	NO

COUNCILWOMAN SMITH	YES	(VOTE: 5 YES;
COUNCILMAN JULIEN	YES	2 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

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**JENNINGS DISCLOSURES – BELOW ARE THE EX-PARTE COMMUNICATIONS REQUIRED TO BE DISCLOSED BY THE JENNINGS REQUIREMENT.**

- COUNCILWOMAN SPIEGEL SPOKE WITH GUY TENENBAUM AND ERIC HARARI.
- COUNCILWOMAN SMITH SPOKE WITH GUY TENENBAUM, ERIC HARARI, AND STANLEY PRICE.
- COUNCILMAN JULIEN SPOKE WITH SEVERAL POTENTIALLY AFFECTED INDIVIDUALS AT THE PLANNING & ZONING MEETING.

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Names of Party(ies) Appearing:

1. CHARLES LOEB  
16800 N.E. 15 AVE  
North Miami Beach, FL
2. MUBARAK KAZAN  
15564 N.E. 12 AVE  
North Miami Beach, FL
3. DR. BARRY SCHUGAR  
3220 N.E. 165 ST  
North Miami Beach, FL
4. ROBERT TAYLOR  
1951 N.E. 157 TER  
North Miami Beach, FL
5. ERIC HARARI  
1261 CYPRESS RD  
North Miami, FL
6. ALEXANDRA DEAS, LAW OFFICES OF BILZIN SUMBERG AND LOBBYIST FOR ERIC HARARI  
200 S. BISCAYNE BLVD  
North Miami Beach, FL
7. GUY TENENBAUM  
16479 N.E. 30 AVE  
North Miami Beach, FL

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**Ordinance No. 2009-26** entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING AND ENACTING SECTION 2-61 OF THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES TO PROVIDE FOR THE CREATION, MEMBERSHIP, QUORUM, AND TERMS OF THE PENSION BOARD FOR THE POLICE OFFICERS AND FIREFIGHTERS OF THE CITY OF NORTH MIAMI BEACH IN ACCORDANCE WITH STATE LAW AND CITY RETIREMENT PLAN FOR

POLICE OFFICERS AND FIREFIGHTERS EFFECTIVE JANUARY 1, 1990 AND ADOPTED BY ORDINANCE NO. 89-18; PROVIDING COUNCILPERSONS WITH EX-OFFICIO DUTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE. was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE ON SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE to ADOPT ORDINANCE NO. 2009-26 ON SECOND AND FINAL READING. MOTION CARRIED.  
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

**Ordinance No. 2009-27** entitled "AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING AND ENACTING SECTION 2-62 OF THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES TO PROVIDE FOR THE CREATION, MEMBERSHIP, QUORUM, AND TERMS OF THE PENSION BOARD FOR THE GENERAL EMPLOYEES OF THE CITY OF NORTH MIAMI BEACH IN ACCORDANCE WITH STATE LAW AND CITY RETIREMENT PLAN FOR GENERAL EMPLOYEES EFFECTIVE JANUARY 1, 1990 AND ADOPTED BY ORDINANCE NO. 89-19; PROVIDING COUNCILPERSONS WITH EX-OFFICIO DUTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE. was introduced by MOTION of COUNCILMAN JULIEN, SECONDED by VICE MAYOR PIERRE ON SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, SECONDED by COUNCILWOMAN SMITH to ADOPT ORDINANCE NO. 2009-27 ON SECOND AND FINAL READING. MOTION CARRIED.  
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR PIERRE	YES	
COUNCILWOMAN SPIEGEL	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES;
COUNCILMAN JULIEN	YES	0 NO)
COUNCILMAN DEROSE	YES	
COUNCILWOMAN KRAMER	YES	
MAYOR ROSNER	YES	

**14. APPOINTMENTS**

A. GENERAL EMPLOYEES RETIREMENT BOARD (*Council Ex-Officio Members*)

*VICE MAYOR FRANTZ PIERRE*

**COUNCILWOMAN BARBARA KRAMER**

MOTION by COUNCILWOMAN SMITH, SECONDED by COUNCILWOMAN SPIEGEL to APPOINT VICE MAYOR FRANTZ PIERRE AND COUNCILWOMAN BARBARA KRAMER TO THE GENERAL EMPLOYEES RETIREMENT BOARD AS COUNCIL EX-OFFICIO MEMBERS. MOTION CARRIED.

- B. POLICE OFFICERS AND FIREFIGHTERS RETIREMENT BOARD** (*Council Ex-Officio Members*)

**COUNCILMAN JOHN PATRICK JULIEN**  
**COUNCILWOMAN BETH E. SPIEGEL**

MOTION by COUNCILWOMAN SMITH, SECONDED by VICE MAYOR PIERRE to APPOINT COUNCILMAN JOHN PATRICK JULIEN AND COUNCILWOMAN BETH E. SPIEGEL TO THE POLICE OFFICERS AND FIREFIGHTERS RETIREMENT BOARD. MOTION CARRIED.

**15. CITY COUNCIL COMMITTEE REPORTS**

**A. VICE MAYOR PIERRE:**

1. VICE MAYOR PIERRE WISHED A GOOD EVENING TO NORTH MIAMI BEACH. THE VICE MAYOR STATED THAT FIRST AND FOREMOST, HE WANTED TO THANK ALL THE RESIDENTS WHO CAME OUT LAST NOVEMBER 11<sup>TH</sup> TO PAY TRIBUTE TO OUR VETERANS. THIS PAST NOVEMBER 11<sup>TH</sup>, VETERANS' DAY, HAS BEEN THE MOST HE'S SEEN FOR THE PAST FEW YEARS HE'S BEEN ATTENDING. HE THINKS THAT THAT WAS WELL DESERVED BECAUSE, WITHOUT THE RESIDENTS, YOU AND HE CANNOT ENJOY WHAT WE CALL FREEDOM AND HE'S LOOKING FORWARD TO SEEING YOU AGAIN IN MAY.
2. VICE MAYOR PIERRE STATED THAT THERE'S BEEN A LOT OF THINGS HAPPENING IN OUR LIBRARY LATELY. LAST NIGHT THERE WAS A FORECLOSURE CLINIC. UNFORTUNATELY, THERE WERE NOT TOO MANY PEOPLE. WHEN HE REALIZED WE HAVE OVER 177 CASES PENDING RIGHT NOW, HE THOUGHT PEOPLE NEED TO KNOW WHAT TO DO, HOW TO DO IT AND WHAT HELP THEY CAN GET. HE UNDERSTANDS THAT THERE WILL BE ANOTHER ROUND COMING IN DECEMBER OR JANUARY; SO, HE WILL LET EVERYBODY KNOW. HAPPY THANKSGIVING AND GOOD NIGHT.

**B. COUNCILWOMAN SPIEGEL:**

1. COUNCILWOMAN SPIEGEL WANTED TO ONCE AGAIN APOLOGIZE TO HER COLLEAGUES. SHE SHOULD HAVE GOTTEN BACK UP HERE; SHE DIDN'T REALIZE. THE COUNCILWOMAN STATED THAT AS WITH VICE MAYOR PIERRE, SHE THOUGHT THE VETERANS' DAY TRIBUTE WAS VERY MOVING. SHE WANTED TO THANK ALL VETERANS AND THEIR FAMILIES. SHE WANTED TO REMIND PEOPLE IF THEY'RE STILL LISTENING THAT THERE WAS A GENTLEMAN, AND SHE WAS SORRY THAT SHE DIDN'T REMEMBER HIS NAME, WHO SAID THAT THE VETERANS IN THE HOSPITALS AND THE REHAB CENTERS NEED BOOKS AND MAGAZINES AND HE VOLUNTEERED CITY HALL. SHE STATED THAT PARKS AND RECREATION HAS AGREED TO COLLECT THE BOOKS AND MAGAZINES FOR THE VETERANS. IF YOU HAVE

BOOKS AND MAGAZINES THAT COULD HELP THE VETERANS WHO ARE IN HOSPITALS AND REHAB CENTERS. BRING THEM TO PARKS AND RECREATION AND LET'S HELP THEM THAT WAY.

2. COUNCILWOMAN SPIEGEL STATED THAT TWO WEEKS AGO SHE WENT TO THE SENIOR LUNCH. SHE WANTED TO THANK ALL THE LOVELY SENIORS WHO INVITED HER TO SIT DOWN AND SPEAK WITH THEM. IT IS REALLY A VERY NICE PROJECT.
3. COUNCILWOMAN SPIEGEL ASKED THE CITY MANAGER IF HE AND HIS STAFF, PARTICULARLY PARKS AND RECREATION AND PERHAPS WITH THE POLICE CHIEF AND ALL THAT L.E.T.F. MONEY WE HAVE, COULD GET CREATIVE ABOUT CRIME PREVENTION. GETTING YOUTH OFF THE STREET AND GIVING THEM ACTIVITIES TO DO; AND, TO SEE IF WE CANNOT KEEP THE GYMS OPEN AND MAYBE HAVE A PROGRAM SAY FROM 10:00 P.M. TO MIDNIGHT THAT WOULD TAKE YOUNG ADULTS WHO HAVE OTHERWISE TIMED OUT OF THE PROGRAMS THAT WE HAVE, SAY 18 TO 24 YEARS OLD, AND RUN BASKETBALL GAMES OR WHATEVER. THE COUNCILWOMAN STATED THAT IF WE CAN KEEP THEM OFF THE STREETS, KEEP THEM ENGAGED IN ACTIVITIES, IT WILL HELP. SHE WOULD ALSO ASK THAT WE SEE IF WE CAN'T USE SOME OF THAT MONEY FOR SATURDAYS AND SUNDAYS ACTIVITIES. WHEN SHE CAMPAIGNED AND SHE CAME TO THE CITY MANAGER AFTER SHE WAS ELECTED AND ASKED ABOUT SUNDAYS AND THE MANAGER TOLD HER THAT THE HEALTH INSURANCE WAS NOT ENOUGH; BUT, IT SEEMS TO HER THAT THE CITY HAS A VESTED RIGHT OR INTEREST IN KEEPING THESE CHILDREN OCCUPIED. SHE WOULD SPEND FRIDAY MORNING AT ULETA AT THE BASEBALL FIELD AND THE REC CENTER. THERE'S GOT TO BE SOMETHING CREATIVE THAT WE CAN DO. SO MR. MANAGER, IF YOU ALL WOULD LOOK INTO THAT AND LET'S SEE WHAT WE CAN DO, SHE WOULD APPRECIATE IT.
4. COUNCILWOMAN SPIEGEL WISHED EVERYBODY A HAPPY THANKSGIVING AND ASKED EVERYONE TO GIVE THANKS FOR ALL OF THE BLESSINGS WE HAVE IN THIS GREAT COUNTRY THAT WE LIVE IN. SHE KNOWS THAT SHE IS GOING TO MISPRONOUNCE THIS BUT, TO MR. KAZAN, TO MY CLIENTS WHO CELEBRATED, AND TO ALL WHO CELEBRATED, HAPPY EID AL-ADHA; AND, SHE'LL SEE EVERYONE DECEMBER 1<sup>ST</sup>.

**C. COUNCILWOMAN SMITH:**

1. COUNCILWOMAN SMITH STATED THAT ON VETERANS' DAY, UNFORTUNATELY, SHE HAD A PLANE TO CATCH TO GET OUT OF HERE AND GET SOME INFORMATION FOR US TO MAKE OUR CITY BETTER; AND, HOPEFULLY, SHE BROUGHT BACK A LOT OF WONDERFUL IDEAS. SHE HAS DIRECTED OUR MANAGER AND HE'S GOING TO TRY TO IMPLEMENT THAT IF YOU ARE BRINGING A BUSINESS INTO NORTH MIAMI BEACH AND YOU ARE GOING TO DO ANY KIND OF RENOVATION ON A STOREFRONT OR A BUILDING, OR IF YOU WANT TO BUILD A BUILDING IN NORTH MIAMI BEACH, HOPEFULLY WHEN YOU COME AND START THE PROCESS FROM THE DAY YOU HAVE TO GET YOUR TAX ID, TO THE DAY YOU HAVE TO GET YOUR PERMIT, TO GETTING YOUR INSPECTIONS, TO GETTING YOUR FINAL C.O.,

THAT WE ARE GOING TO HOPEFULLY HAVE ONE PERSON PER FILE IN CHARGE THAT WILL TAKE YOU FROM THE BEGINNING OF THE PROCESS TO THE END TO EXPEDITE THE PROCESS TO MAKE NORTH MIAMI BEACH ONE OF THE CITIES YOU DEFINITELY WANT TO GO TO BECAUSE WE WILL BE THE FASTEST. SHE THOUGHT THAT WAS A MARVELOUS IDEA AND SHE HOPES WE IMPLEMENT THAT RIGHT AWAY.

2. COUNCILWOMAN SMITH STATED THAT SHE'LL TELL YOU ABOUT VETERANS' DAY. SHE HEARD IT EVERY DAY; SHE SAW A LOT OF THINGS. SHE HEARD THE MOST BEAUTIFUL STAR SPANGLED BANNER THAT SHE EVER HEARD SUNG BY ONE OF THE GENTLEMAN THAT'S IN THE SERVICE RIGHT NOW. SHE THINKS THAT WE HAVE TO THANK THESE VETERANS EVERY SINGLE DAY OF OUR LIFE. WE ARE HERE, WE'RE FREE. THEY ARE GIVING UP THEIR FAMILY. IT'S NOT JUST ONE DAY. SHE HOPES IT'S EVERY DAY AND THAT WE PRAY FOR THEIR SAFETY, WE PRAY FOR THEIR FAMILIES. AND THOSE THAT HAVE BEEN INJURED, WE ABSOLUTELY PRAY FOR THEM TO HAVE A SPEEDY RECOVERY BECAUSE IT JUST ISN'T ONE DAY; IT WENT ON FOR THE FULL WEEKEND. SHE CAN ONLY SAY TO YOU IT SHOULD GO ON EVERY SINGLE DAY UNTIL EVERY ONE OF OUR PEOPLE ARE SAFE AND BACK HOME.
  
3. COUNCILWOMAN SMITH STATED THAT SHE WASN'T GOING TO TAKE COUNCILMAN JULIEN'S THUNDER BUT THE GARAGE SALE WHICH IS COMING UP SATURDAY, IT STARTED OUT AS A FLEA MARKET FIVE YEARS AGO. IT NOW HAS BECOME A MAJOR COMMUNITY EVENT, WHICH IS A GARAGE SALE. WHAT SHE WANTED TO SAY IS HER COMMITTEE, THE SENIORS, HAVE TAKEN A TABLE AND IF YOU HAVE ANYTHING, THEY HAVE SAID AT THE RECREATION THAT IF YOU HAVE ANYTHING, THEY WILL HOLD IT UNTIL SATURDAY. THAT WAY IF YOU'LL DONATE IT TO THE CITY, WE WILL PUT IT OUT ON THE TABLES, AND WE WILL MAN IT, AND THAT MONEY WILL GO FOR SENIORS THAT WOULD LIKE TO TAKE A TRIP AND THEY CAN'T AFFORD TO DO IT.
  
4. COUNCILWOMAN SMITH STATED THAT SHE HAS HAD A LOT OF PHONE CALLS IN REFERENCE TO PERHAPS A REZONING OF THE SCHOOLS. IT ISN'T WRITTEN IN STONE YET, BUT SHE HAS BEEN ON THE PHONE. SHE SPOKE TO DR. KARP, WHO IF PEOPLE DON'T KNOW, HE'S THE SCHOOL BOARD MEMBER FOR THE ENTIRE AREA AND OUR SCHOOL BOARD REPRESENTATIVE. THE COUNCILWOMAN STATED THAT DR. KARP HAS GIVEN HER PERMISSION TO GIVE HIS PHONE NUMBER, (305) 995-1334, ASK FOR DENISE OR GERALD. IF HE DOESN'T CALL YOU BACK WITHIN 24 HOURS, YOU CAN ALSO E-MAIL HIM AT MARTINKARP@DADESCHOOLS.NET. THERE IS A PROCEDURE FOR CHANGING THE BOUNDARIES OF THE SCHOOLS; AND, THIS PROCEDURE IS MANY MEETINGS AND INPUT FROM THE COMMUNITY. NOTHING IS WRITTEN IN STONE. IN FACT, THE MORE DR. KARP AND PAUL GREENFIELD IS IN CHARGE OF THIS WHOLE PROCESS, IT IS ONLINE, TO TELL YOU WHEN THE DATES ARE. THE MORE THEY HEAR FROM US, THE MORE THEY'RE GOING TO CONSIDER WHERE TO MOVE THE CHILDREN. THE TWO SCHOOLS THAT ARE UNDER CONSIDERATION ARE THE NEW ONE ON 26<sup>TH</sup> AVENUE, THE AVENTURA WATERWAYS, AND THE SUNNY ISLES SCHOOL, WHICH RIGHT NOW, SUNNY ISLES, DOES NOT HAVE IT'S 8<sup>TH</sup> GRADE AND THEY ARE AT

CAPACITY. THEY FEEL WHEN 8<sup>TH</sup> GRADE COMES IN, THERE ARE SCHOOLS THAT ARE UNDER CAPACITY. HOWEVER, LOUD VOICES GET ATTENTION; SO, PLEASE TELL YOUR NEIGHBORS. CALL DR. KARP. SHE IS GETTING THE SCHEDULE OF THE MEETINGS. SHE WILL TRY TO GO TO EVERY ONE OF THE MEETINGS FROM NOW ON. THURSDAY, AVENTURA HAS INVITED HIM, DR. KARP, TO COME TO SPEAK EVEN THOUGH HE SAYS HE'S REALLY NOT PART OF THE PROCESS. HE'S JUST YOUR VOICE. IT'S PAUL GREENFIELD AND, SHE BELIEVES, HE'LL BE THERE THURSDAY AS WELL. AVENTURA HAS INVITED THEM, SHE BELIEVES TO THEIR COUNCIL MEETING, TO DISCUSS THIS. IF NOT THEIR COUNCIL, THEN CALL THE CITY OF AVENTURA AND FIND OUT WHEN THEY ARE HAVING THAT MEETING ON THURSDAY, WHAT TIME. SHE THINKS THAT'S VERY IMPORTANT BECAUSE EVERY DAY THAT CLICKS AWAY IS A DAY THAT WE DIDN'T HAVE OUR VOICES HEARD.

5. COUNCILWOMAN SMITH STATED THAT SHE WANTED TO THANK EVERYBODY FOR TONIGHT, COMING OUT. HOPEFULLY ALL OF THIS WILL BE RESOLVED BY THE MARKET TURNING AROUND AND THE ECONOMY TURNING AROUND. THE HOUSES WILL SELL AND WE WILL HAVE A VERY GOOD ORDINANCE ON THE BOOKS. SHE THANKED EVERYONE AGAIN FOR ALL THEIR HARD WORK. WITH THAT, SHE SAID TO EVERYBODY HAVE A WONDERFUL THANKSGIVING. ENJOY EACH OTHER, ENJOY YOUR NEIGHBORS, AND ESPECIALLY BE THANKFUL THAT YOU HAVE YOUR FAMILY BECAUSE IT REALLY, WHEN THEY ARE GONE, THEY ARE GONE FOR A LONG TIME. THANK YOU VERY MUCH.

**D. COUNCILMAN JULIEN:**

1. COUNCILMAN JULIEN WISHED EVERYONE A GOOD EVENING AND, ON BEHALF OF HIS FAMILY AND HIMSELF, HE WISHED EVERYBODY A HAPPY THANKSGIVING AS WELL. COUNCILMAN JULIEN STATED THAT HE ALSO WANTED TO THANK WINN DIXIE AND THE LADIES OF THE COMMISSION ON THE STATUS OF WOMEN FOR ONCE AGAIN DOING A THANKSGIVING BASKET, WHICH THIS WEEKEND THEY WILL BE GIVING AWAY TO NEEDY FAMILIES IN THE COMMUNITY. CONTRARY, OBVIOUSLY, TO SOME POPULAR BELIEF IT DOESN'T COST THE TAXPAYERS A DIME. WE WENT OUT AND WE SOLICITED DONATIONS FROM THE COMMUNITY. WE ARE PUTTING THE BASKETS TOGETHER. WE ARE GOING OUT TO THE FAMILIES THAT WE HAVE IDENTIFIED AS BEING NEEDY; AND, WE WILL BE GIVING IT TO THEM. AGAIN, NO COST TO THE TAXPAYERS OF THE CITY OF NORTH MIAMI BEACH.
2. COUNCILMAN JULIEN STATED THAT SINCE WE ARE TAKING ABOUT WHAT STARTED OUT AS THE YARD SALE AND HAS MOVED UP TO THE GARAGE SALE, HE HEARD ABOUT A COLLEAGUE WHO IS ON THE WAITING LIST. WELL, EVERY NOW AND AGAIN LIKE THEY SAY, YOU HAVE TO LEAD BY EXAMPLE. HIS WIFE LAST YEAR WAS ON THE WAITING LIST AND HE REFUSED TO TAKE HER OFF THE WAITING LIST. HE BELIEVED IT WAS THE PROPER THING TO DO; AND, IF SOMEBODY DOESN'T REGISTER ON TIME THEN YOU GO ON THE WAITING LIST. THIS IS A GOOD COMMUNITY EVENT AND ONE OF THE THINGS THAT HE GUESSES HE MISSES ABOUT THE WAY THINGS USED TO BE IS. THERE USED TO BE A CERTAIN THING CALLED RESPECT FOR A COLLEAGUE'S WORK PRODUCT AND FOR A COLLEAGUE'S

COMMITTEE; BUT, OBVIOUSLY THOSE ARE ALL GONE BY THE WAYSIDE AND NOW IT'S LET US DO UNTO OTHERS AS WE WOULD NOT WANT DONE UNTO US. GOD BLESS YOU ALL AND HAVE A GOOD NIGHT.

**E. COUNCILMAN DEROSE:**

1. COUNCILMAN DEROSE WISHED EVERYONE GOOD EVENING. HE ALSO WANTED TO TAKE THIS OPPORTUNITY TO WISH EVERYONE A HAPPY THANKSGIVING DAY.
2. THE COUNCILMAN STATED THAT THE BEAUTIFICATION COMMITTEE IS STILL LOOKING FOR FEW GOOD APPLICANTS WILLING AND ABLE TO SERVE. HE ENCOURAGED OUR CITIZENS TO APPLY. HE STATED THAT WE DESPERATELY NEED SOME FEW VOLUNTEERS; SO, PLEASE GET INVOLVED. THANK YOU VERY MUCH AND GOOD NIGHT.

**F. COUNCILWOMAN KRAMER:**

1. COUNCILWOMAN KRAMER WISHED EVERYONE GOOD EVENING. SHE STATED THAT SHE ALSO ATTENDED THE VETERANS' DAY CEREMONY. IT WAS A VERY MOVING EXPERIENCE, AS WAS THE MEMORIAL DAY SERVICE THAT SHE ATTENDED IN MAY. BEING THAT SHE HAD NEVER GONE TO ANY OF THESE SERVICES, SHE HAD TO SAY SHE WAS GLAD SHE WAS A COUNCILPERSON. SHE STATED THAT SHE THINKS SHE'S MENTIONED THIS BEFORE BECAUSE SHE MIGHT HAVE NOT EVER ATTENDED. SHE ENCOURAGED PEOPLE TO GO. YOU MEET VETERANS; YOUR LIVES ARE TOUCHED BY THEM. WE TAKE THINGS FOR GRANTED EVERY DAY. WE DON'T REALIZE THE FREEDOMS WE HAVE; BUT, THEY SURE REMIND US OF THAT. WHEN THEY COME OUT AND SPEAK AND THINGS ARE VERY DIFFICULT FOR THEM WHEN THEY COME BACK FROM COMBAT, IT'S VERY TOUCHING AND WE NEED TO DO WHATEVER WE CAN TO SUPPORT THEM.
2. COUNCILWOMAN KRAMER ALSO WISHED THOSE IN THE MUSLIM COMMUNITY A HAPPY FESTIVAL OF SACRIFICE, WHICH SHE GUESSED IS THE ENGLISH TRANSLATION BECAUSE SHE DEFINITELY DIDN'T WANT TO TRY WHAT COUNCILWOMAN SPIEGEL DID; BUT, COUNCILWOMAN SPIEGEL DID A GOOD JOB SHE WAS SURE. COUNCILWOMAN KRAMER WAS ALSO SURE THAT IT WAS VERY MUCH APPRECIATED. THAT HOLIDAY IS COMING UP IN ABOUT A WEEK OR SO.
3. COUNCILWOMAN KRAMER WANTED TO MENTION ONCE AGAIN, WHICH SHE IS GOING TO MENTION EVERY COUNCIL MEETING UNTIL JANUARY 13<sup>TH</sup>, THAT THERE WILL BE A TOWN HALL MEETING. THIS IS A COMMUNITY CONNECTS EVENT WITH THE JUDGES FROM DADE COUNTY. WE'RE GOING TO HAVE A TOWN HALL MEETING WHICH WILL TOUCH ON ISSUES REGARDING CONDOMINIUM ASSOCIATIONS, CONDO LAW, MORTGAGE FORECLOSURES, SMALL CLAIMS COURT, DISSOLUTION OF MARRIAGE, LANDLORD-TENANT ISSUES, DOMESTIC VIOLENCE ISSUES; AND, SHE THINKS IT'S GOING TO BE SOMETHING REALLY VERY INTERESTING TO HAVE JUDGES IN FRONT OF YOU THAT YOU'LL BE ABLE TO ASK YOUR QUESTIONS TO AND GET SOME PRETTY SOUND ADVICE AS TO HOW TO GO ABOUT SOME

OF YOUR SITUATIONS. SHE IS HOPING THIS WILL BE A VERY WELL ATTENDED MEETING. THIS WILL BE AT THE CITY OF NORTH MIAMI BEACH, OF COURSE, AT THE MCDONALD CENTER, JANUARY 13<sup>TH</sup>. IT'S FROM 6:30 P.M. TO 8:30 P.M. HOPEFULLY WE WILL ALSO STREAM IT LIVE ON THE WEB AND MAYBE BE ABLE TO TAKE SOME OF YOUR QUESTIONS AND CALLS FROM HOME FOR THOSE WHO CAN'T MAKE IT. WE WOULD LIKE TO ACCOMMODATE EVERYONE FOR THIS EVENT.

4. COUNCILWOMAN KRAMER ALSO WANTED TO WISH EVERYONE A VERY HAPPY AND HEALTHY THANKSGIVING.
  
5. COUNCILWOMAN KRAMER STATED THAT ON DECEMBER 8<sup>TH</sup> AT 7:00 P.M., WE HAVE OUR BOOK SIGNING; THIS AMAZING BOOK. SHE IS SO THRILLED WITH IT, WITH THE COVER, WITH EVERYTHING INSIDE OF IT. WE ARE VERY FORTUNATE THAT WE HAVE SETH BRAMSON IN OUR COMMUNITY WHO WRITES THESE BOOKS. IT WAS A PLEASURE FOR HIM TO DO A BOOK ON NORTH MIAMI BEACH; WE HAD SO MUCH INFORMATION TO GIVE HIM. SHE STATED THAT SHE WAS VERY HAPPY TO BE A COUNCILPERSON AT THIS TIME BECAUSE HIS BOOK MEANS A LOT TO HER. THERE ARE SOME PICTURES OF HER FAMILY IN HERE FROM THE 1960'S; AND, IT'S JUST VERY REWARDING AND IT'S GOING TO BE A GREAT EVENT. THE COUNCILWOMAN STATED THAT SHE HOPES YOU ALL WILL BE ABLE TO COME OUT FOR THAT. SO, THAT'S IT FOR NOW, AND HAVE A GREAT EVENING. THANK YOU.

**G. MAYOR ROSNER:**

1. MAYOR ROSNER WISHED EVERYBODY A GOOD EVENING. MR. MANAGER, VETERANS' DAY WAS A VERY DIGNIFIED EVENT. VERY, VERY GOOD TO CONTINUE THIS YEARLY. CONGRATULATIONS BY KEEPING IT IN THE BUDGET. THANK YOU TO NATASHA FROM LEISURE SERVICES FOR ORGANIZING IT. THEY DID A WONDERFUL JOB.
  
2. MAYOR ROSNER ALSO CONGRATULATED THE CITY MANAGER'S TEAM REGARDING THE CENSUS. THE MAYOR STATED THAT HE KNOWS YOU DID AN INFORMAL CHALLENGE. THE POPULATION IN FLORIDA HAS BEEN DECREASING AND WE SUFFERED A NEW COUNT RECENTLY. AND, HE KNOWS THAT YOUR TEAM DID AN INFORMAL CHALLENGE AND THE U.S. CENSUS DID ACCEPT IT BACK TO ALMOST OUR OLD NUMBERS AND MAKING IT EASIER FOR US TO GET TO THE GOAL OF OVER THE 50,000, POSSIBLY TO THE 60,000. THAT WAS GREAT; THANK YOU. MAYOR ROSNER WISHED HAPPY THANKSGIVING TO EVERYBODY AND ANNOUNCED THAT THE NEXT REGULAR COUNCIL MEETING WILL BE ON DECEMBER 1, 2009.

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COUNCILWOMAN SMITH REMINDED EVERYONE THAT THE ECONOMIC DEVELOPMENT COMMISSION AND THE COMMISSION ON AGING-SENIOR CITIZENS BOARD MEET TOMORROW.  
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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 11:52 PM ON A MOTION by VICE MAYOR PIERRE, SECONDED by COUNCILMAN DEROSE. MOTION CARRIED.

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 NINETEEN (19) 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 SEVENTEENTH (17<sup>TH</sup>) DAY OF NOVEMBER, 2009.

(S E A L)



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