
MINUTES

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: RABBI DAVID LEHRFIELD
YOUNG ISRAEL OF GREATER MIAMI

3. SALUTE TO THE AMERICAN FLAG.

“A MOMENT OF SILENCE”

AT THIS TIME, THERE WAS A MOMENT OF SILENCE FOR JANE BERTANI, EXECUTIVE DIRECTOR, NORTH MIAMI BEACH CHAMBER OF COMMERCE

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

NONE

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS:

NONE

B. PRESENTATIONS:

1. LEWIS J. BIELMAN III, SR. - SOUTH FLORIDA WATER MANAGEMENT DISTRICT, SPOKE ABOUT THE CURRENT WATER SHORTAGE AND RESTRICTIONS. THEREAFTER, DEPUTY CITY MANAGER KELVIN BAKER DISCUSSED THE IMPLEMENTATION OF THE DROUGHT POLICY.

6. APPROVAL OF MINUTES OF JANUARY 15, 2008.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to APPROVE THE MINUTES OF JANUARY 15, 2008.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN CHERNOFF, to AMEND THE MINUTES OF JANUARY 15, 2008 AS FOLLOWS: 1) ITEM 5B, PAGE 1 BE MOVED TO PAGE 4 AFTER ITEM 13B, RESOLUTION NUMBER R2008-1; 2) ITEM 13B, PAGE 4, STIPULATION TO READ: THAT THE OWNER OF THE PROPERTY IS GOING TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE PARKING LOT FOR ONE YEAR ONLY; 3) ITEM 13B, ORDINANCE NUMBER 2008-1 PAGE 6, TO ADD A NEGATIVE VOTE; 4) ON THE THIRD WITHDRAWN MOTION ON PAGE 3 TO DELETE THE WORDS "FOR USE OF" AND ADD THE WORD "TO".

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to APPROVE THE MINUTES OF JANUARY 15, 2008, AS AMENDED. MOTION CARRIED.

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

- A. AT THE COUNCIL CONFERENCE CITY MANAGER KEVEN R. KLOPP STATED THE CHARTER REVIEW IS A CARRY OVER FROM A PREVIOUS AGENDA AND THAT IT AGAIN WILL BE CARRIED OVER TO THE NEXT AGENDA.

(CNMB-CC MINUTES TAPE #388)

- B. CITY MANAGER KEVEN R. KLOPP STATED THAT THE CITY MANAGER EVALUATION, WAS AN EXPECTATION OF THE CITY COUNCIL THAT HE HAD ASKED ABOUT FREQUENTLY SINCE THAT EXPECTATION BACK IN DECEMBER. CITY MANAGER KLOPP STATED THAT HE DID NOT WANT TO BE AN APPEARANCE OF ANY INTENTION THAT HE DID NOT WANT TO BRING THAT ITEM FORWARD.

(CNMB-CC MINUTES TAPE #388)

- C. CITY MANAGER KEVEN R. KLOPP STATED THAT ANNEXATION IS A TIME SENSITIVE ITEM. HE WANTED TO INFORM THE CITY COUNCIL THAT WE HAVE NOT BEEN ABLE TO REACH AN ELECTION DATE WITH THE COUNTY. WE HAVE BEEN INFORMED BY THE COUNTY THAT IN MAY AND JUNE THEY WILL BE TRANSITIONING THEIR ELECTION PROCESS FROM THE TOUCH SCREENS TO THE NEWER PROCESS THEY ARE USING. THEREFORE, WE DO NOT KNOW WHEN THE ELECTION IS GOING TO OCCUR. THE NEXT MEETING ON THIS WILL BE IN FEBRUARY, AT WHICH TIME, THE ITEM WILL BE DEFERRED UNTIL WE CAN COME UP WITH THE ELECTION DATE.

(CNMB-CC MINUTES TAPE #388)

- D. CITY MANAGER KEVEN R. KLOPP STATED THAT THE TAX REFORM WAS APPROVED BY THE VOTERS IN FLORIDA, AND THAT IS GOING TO HAVE, AS DISCUSSED PREVIOUSLY, AN IMPACT ON OUR BUDGET. CITY MANAGER KLOPP STATED THAT WE WILL BE GOING INTO BUDGET MEETINGS VERY QUICKLY INCLUDING SOME COMMUNITY MEETINGS THAT HE IS STARTING TO ARRANGE TO LET THE PUBLIC KNOW HOW WE ARE GOING TO BE ADDRESSING SOME OF THE MATTERS AS WE HAVE TO CUT OUR BUDGET ONCE AGAIN.

(CNMB-CC MINUTES TAPE #388)

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

THE CITY ATTORNEY WAIVED HIS REPORT.

(CNMB-CC MINUTES TAPE #388)

9. **SCHEDULED CITIZENS APPEARANCE:**

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

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, ESQUIRE

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

12. BUSINESS TAX RECEIPT MATTERS - CITY CLERK (CONTINUED):

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN TO ACCEPT THE RECOMMENDATION OF THE CHIEF OF POLICE, by REVOKING THE 4 AM – 6 AM, EXTENSION OF HOURS FOR THE BUSINESS TAX RECEIPT, AND THAT THEY HAVE THE ABILITY TO RE-ALLOCATE THEIR MANPOWER. MOTION CARRIED.

MOTION by MAYOR MARIN, seconded by COUNCILMAN ROSNER to AMEND THE ABOVE – DESCRIBED MOTION, IN THAT THE REMOVAL OF THE LICENSE BE THROUGH SEPTEMBER 30TH WHICH IS THE EXPIRATION OF THE LICENSE.

MOTION CARRIED, AS AMENDED.

(CLERKS NOTE: CITY CLERK ODENZ ASKED FOR A CLARIFICATION OF THE FEE AND WAS TOLD THAT THE FEE IS NON-REFUNDABLE).

Name of Party(ies) Appearing:

- | | |
|--|--|
| 1. Rafael P. Hernandez Jr., Chief of Police
16901 N.E. 19 Avenue
North Miami Beach, FL | 5. Robert Taylor
1951 N.E. 157 Terrace
North Miami Beach, FL. |
| 2. Barbara Howard
234 N.W. 161 Street
Miami, FL. | 6. Chris Easley, Friend of Owner
5637 Emwood Boulevard
Miami, FL. |
| 3. Bert Kehren
3302 N.E. 171 Street
North Miami Beach, FL. | 7. Major Larry Gomer
North Miami Beach Police Dept.
16901 N.E. 19 Avenue
North Miami Beach, FL. |
| 4. Mubarak Kazan
15564 N.E. 12 Avenue
North Miami Beach, FL. | |

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. R2008-3):

NONE

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

NONE

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2008-1 entitled "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.", was introduced BY MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER ON ITS SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to ADOPT ORDINANCE NO. 2008-1 ON ITS SECOND AND FINAL READING. MOTION CARRIED, BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR JULIEN	YES	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 6 YES
COUNCILMAN CHERNOFF	YES	1 NO)
COUNCILMAN PIERRE	NO	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

Name of Party(ies) Appearing:

- | | |
|---|--|
| 1. Charles Loeb
16800 N.E. 15 Avenue
North Miami Beach, FL. | 2. Mubarak Kazan
15564 N.E. 12 Avenue
North Miami Beach, FL. |
|---|--|

13B. LEGISLATION (CONTINUED):

ORDINANCE NO. 2008-2 entitled “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.”, was introduced BY MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN MARIN ON ITS SECOND AND FINAL READING.

MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-2 ON ITS SECOND AND FINAL READING.

BY THE FOLLOWING ROLL CALL VOTE:

MOTION CARRIED.

VICE MAYOR JULIEN	YES	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES
COUNCILMAN CHERNOFF	YES	0 NO)
COUNCILMAN PIERRE	YES	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

ORDINANCE NO. 2008-3, entitled “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.”, was introduced BY MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN PIERRE ON ITS SECOND AND FINAL READING.

MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-3 ON ITS SECOND AND FINAL READING.

BY THE FOLLOWING ROLL CALL VOTE:

MOTION CARRIED.

VICE MAYOR JULIEN	YES	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES
COUNCILMAN CHERNOFF	YES	0 NO)
COUNCILMAN PIERRE	YES	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

14. UNSCHEDULED CITIZENS APPEARANCES:

A. MUBARAK KAZAN
15564 N.E. 12 AVENUE
NORTH MIAMI BEACH, FL

RE: REDEVELOPMENT.

15. CITY COUNCIL COMMITTEE REPORTS:

A. VICE MAYOR JULIEN'S REPORT:

1. VICE MAYOR JULIEN STATED THAT NOW IN LIGHT OF THE FACT THAT THE VOTERS DID SPEAK VERY LOUDLY LAST TUESDAY, HE WOULD LIKE TO FLOAT AN IDEA OUT THERE. VICE MAYOR JULIEN INDICATED THAT WE ARE GOING TO HAVE DOUBLE HOMESTEAD EXEMPTION AND HE KNEW FROM HAVING SERVED THREE YEARS ON CODE ENFORCEMENT THAT WE HAVE A LOT OF INDIVIDUALS THAT DO NOT ACTUALLY RESIDE IN THEIR HOMES, BUT ARE CLAIMING HOMESTEAD EXEMPTION ON THOSE HOMES. HE WONDERED IF THERE IS A WAY THAT WE CAN PERHAPS START CHECKING WHO LIVES IN A HOUSE AGAINST THE COUNTY TAX ROLLS TO SEE WHO IS CLAIMING HOMESTEAD EXEMPTION, WHO REALLY SHOULD NOT. VICE MAYOR JULIEN INDICATED THAT HE THOUGHT THAT WOULD BENEFIT THE CITY TREMENDOUSLY.

(CNMB-CC MINUTES TAPE #388)

2. VICE MAYOR JULIEN STATED TO THE CITY CLERK THAT THE WEBSITE IS STILL A WORK IN PROGRESS WITH HIM. VICE MAYOR JULIEN SAID HE NOTICED ON SOME OF THE OTHER WEBSITES THAT WE HAVE OUT THERE, AND THE CITY MANAGER HAD FORWARDED ONE TO HIM. HE THOUGHT IT IS THE CITY OF DOVER, NEW HAMPSHIRE WHERE THEY ARE ACTUALLY CATALOGING THEIR MINUTES AND THEIR COUNCIL AGENDAS. VICE MAYOR JULIEN STATED THAT HE WAS NOT SAYING TO GO BACK AND DO IT, BUT HE WOULD LIKE TO SEE FROM MAYBE THAT POINT FORWARD THAT WE PUT THE MINUTES OF THE MEETINGS AND THE COUNCIL AGENDAS IN A CATALOG FORM SO THAT WE CAN SEARCH AND RETRIEVE THEM, BECAUSE THERE HAVE BEEN SOME RESIDENTS THAT HAVE BROUGHT THIS TO HIS ATTENTION. VICE MAYOR JULIEN NEGLECTED TO BRING IT UP, BUT SINCE HE SAW THE CITY OF DOVER WEBSITE HE THOUGHT, IF THEY CAN DO IT, WE CAN DO IT BETTER. VICE MAYOR JULIEN WISHED EVERYBODY A GOOD EVENING.

(CNMB-CC MINUTES TAPE #388)

B. COUNCILMAN DEROSE'S REPORT:

1. COUNCILMAN DEROSE WISHED EVERYONE A GOOD EVENING. COUNCILMAN DEROSE WANTED TO INFORM OUR CITIZENS THAT THE BEAUTIFICATION COMMITTEE HAS A VACANCY AND HE ENCOURAGES OUR CITIZENS TO APPLY. PEOPLE WHO HAVE THE TIME AND ARE WILLING AND ABLE TO SERVE. COUNCILMAN DEROSE STATED WE NEED A FEW MEMBERS TO SERVE IN OUR BEAUTIFICATION COMMITTEE.

(CNMB-CC MINUTES TAPE #388)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

B. COUNCILMAN DEROSE'S REPORT (CONTINUED):

2. COUNCILMAN DEROSE STATED THAT TODAY HE HAD AN OPPORTUNITY TO WALK AROUND THE VICTORY PARK, VICTORY POOL. THIS IS REALLY A VERY BEAUTIFUL FACILITY AND, COUNCILMAN DEROSE WAS VERY IMPRESSED THE WAY IT LOOKS. THIS IS VERY NICE, AND WE HAVE A VERY LITTLE FEE. IT IS REALLY WORTH IT, BECAUSE WE NEEDED THE MONEY TO KEEP IT LOOKING NICE AND TO MAINTAIN IT. COUNCILMAN DEROSE STATED THAT HE REALLY COMMENDS OUR DIRECTOR MRS. HARRIET ORR FOR HER LEADERSHIP IN THIS PROJECT. IT REALLY LOOKS NICE, AND HE COULD NOT WAIT FOR A RIBBON CUTTING.

(CNMB-CC MINUTES TAPE #388)

C. COUNCILWOMAN SMITH'S REPORT:

1. COUNCILWOMAN SMITH WANTED TO TAKE THIS OPPORTUNITY TO EXTEND HER CONDOLENCES TO SEVERAL OF OUR EMPLOYEES WHO HAVE LOST THEIR PARENTS OVER THE LAST FEW WEEKS, AND WITH THE PASSING FROM THE CHAMBER OF COMMERCE OF JANE BERTANI, COUNCILWOMAN SMITH STATED THAT SHE HOPED THAT EVERYBODY AND THEIR FAMILIES COULD GATHER AROUND. THAT THEY HAVE A LITTLE PEACE OF MIND THAT THEIR FAMILY MEMBERS ARE RESTING IN PEACE.

(CNMB-CC MINUTES TAPE #388)

2. COUNCILWOMAN SMITH INDICATED THAT SHE HAD SPOKEN TO THE CITY MANAGER AND SHE HOPED THAT HER COUNCIL WOULD CONCUR WITH HER THAT THEY ARE GOING TO HAVE TO START THE BUDGET NOW, AND THEY ARE PLANNING ON DOING THAT. COUNCILWOMAN SMITH STATED THAT THE MANAGER WAS PLANNING ON, AND SHE WAS AS WELL, SO THAT THEY WOULD NOT LOSE THE SUMMER AND COME SEPTEMBER BE UNDER THE GUN. COUNCILWOMAN SMITH INDICATED THEY WILL BE PREPARED WHATEVER IT NEEDS TO BE, TO GIVE THE RESIDENTS THE BEST CITY THEY CAN, UNDER ANOTHER CUT BACK OF FUNDS.

(CNMB-CC MINUTES TAPE #388)

3. COUNCILWOMAN SMITH STATED OUR CITY DOES HAVE SOME WONDERFUL PROGRAMS. SHE INDICATED THAT SHE MENTIONED IT AT THE PRE-COUNCIL THAT DR. ALLISON OF ALLISON ACADEMY HAD COME TO THE LIBRARY AND HAD SPOKEN ON HOW TO TAKE A TEST AND HOW TO STUDY, WHO ALSO HAD HAND-OUTS AND SUCH WONDERFUL ADVICE. COUNCILWOMAN SMITH STATED IF WE CAN GET THE WORD OUT WHETHER IT BE WEBSITES, WHETHER IT BE POSTERS, OR WHETHER IT BE ADVERTISING THEY WILL COME AGAIN. COUNCILWOMAN SMITH STATED IF WE CAN GET THE KIDS TO HAVE BETTER GRADES THEY WILL HAVE A BETTER SELF IMAGE, AND IF THEY HAVE A BETTER SELF IMAGE, WE WILL HAVE A BETTER CITY.

(CNMB-CC MINUTES TAPE #388)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

C. **COUNCILWOMAN SMITH'S REPORT (CONTINUED):**

4. COUNCILWOMAN SMITH INDICATED THAT SHE HAD GONE TWO WEEKS AGO TO OUR NORTH MIAMI BEACH MOVIE THEATRE AT THE INTRA-COASTAL MALL. COUNCILWOMAN SMITH STATED THEY HAD A MOVIE FOR FIVE DOLLARS FROM THE HOLOCAUST HERE IN NORTH MIAMI BEACH. COUNCILWOMAN SMITH INDICATED THAT IT WAS AN ARTIST FROM CALIFORNIA WHO SPENT TWELVE YEARS TRACING THE ARTIST THAT DID NOT PERISH, AND THAT SHE HAD IN THE AUDIENCE. COUNCILWOMAN SMITH INDICATED THE LADY WAS THE LITTLE GIRL THAT SANG, AND THAT OUT OF THE ENTIRE CAST OF PROBABLY SEVENTY-FIVE CHILDREN ONLY TWO SURVIVED. THIS ELDERLY WOMAN WAS ONE OF THEM, AND NEXT TO HER WAS THE YOUNG MAN THAT WAS ON BROADWAY REPEATING THE PLAY. HE IS FROM WEST PALM BEACH. COUNCILWOMAN SMITH SAID IT WAS OUTRAGEOUS, EXCELLENT WITH EVERYBODY IN THAT AUDIENCE SHOWING THEIR NUMBERS, THEIR TATTOOS, THEIR TEARS. COUNCILWOMAN SMITH INDICATED THAT NORTH MIAMI BEACH CAN DO IT, WE CAN BRING PROGRAMS, WE CAN SHARE SOME HAPPINESS, SOME THOUGHTS, SOME VETERANS, AND COUNCILWOMAN SMITH HOPED THAT THEY WOULD WORK TOGETHER DOING THAT THIS YEAR. COUNCILWOMAN SMITH WISHED EVERYONE A GOOD EVENING.

(CNMB-CC MINUTES TAPE #388)

D. **COUNCILMAN CHERNOFF'S REPORT:**

1. COUNCILMAN CHERNOFF WISHED EVERYONE A GOOD EVENING AND ALSO CONGRATULATED THE CHIEF ONE MORE TIME FOR HIS SWEARING IN ON JANUARY 28. COUNCILMAN CHERNOFF STATED THAT IT WAS A BEAUTIFUL CEREMONY. COUNCILMAN CHERNOFF SAID IT WAS NICE TO SEE ALL OF DADE COUNTY COME OUT FOR HIM; THE MAYOR OF DADE COUNTY, THE SWEETWATER POLICE DEPARTMENT, AND MANY OTHER CITIES. COUNCILMAN CHERNOFF STATED THAT IT WAS VERY NICE AND CONGRATULATED THE CHIEF. IT WAS A WONDERFUL CEREMONY AND WELCOME. COUNCILMAN CHERNOFF STATED HE WAS GLAD WE PASSED HIS FIRST RECOMMENDATION.

(CNMB-CC MINUTES TAPE #388)

2. COUNCILMAN CHERNOFF AGAIN GAVE HIS CONDOLENCES TO THE BERTANI FAMILY. JANE WAS INSTRUMENTAL IN THE SUCCESS OF THE CHAMBER OF COMMERCE FOR OVER TWENTY YEARS AS THE EXECUTIVE DIRECTOR. COUNCILMAN CHERNOFF STATED THAT SHE DIED ON SATURDAY, SUCCUMBED TO CANCER, SIXTY-TWO YEARS OLD, WHICH IS WAY TOO YOUNG TO LEAVE, UNLESS THERE IS A BRIGHTER PICTURE FOR HER. SHE IS SURVIVED BY HER CHILDREN PAGE AND SON-IN-LAW MARK, JEFF AND HIS WIFE KIANDRA, RYAN, AND ALL THE GRANDCHILDREN. COUNCILMAN CHERNOFF WISHED THEM ALL OUR SYMPATHIES, AND A WILLINGNESS IF THERE IS ANYTHING THAT WE CAN DO. COUNCILMAN CHERNOFF INDICATED THAT THE FAMILY WISHES TO HAVE A PRIVATE CEREMONY AND THAT IS WHY THERE WAS NO BURIAL OR ANYTHING IN THE PAPER. COUNCILMAN CHERNOFF

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

D. COUNCILMAN CHERNOFF'S REPORT (CONTINUED):

STATED THAT IT WAS GOING TO BE PRIVATE, BUT IF PEOPLE WOULD LIKE TO POST WISHES OR SYMPATHIES ON THE GUEST BOOK AT WWW.MIAMIHERALD.COM/OBITUARIES JUST PUT IN THE NAME BERTANI.

(CNMB-CC MINUTES TAPE #388)

E. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE WISHED EVERYONE A GOOD EVENING. COUNCILMAN PIERRE STATED THAT ONCE AGAIN HE WANTED TO TAKE THE OPPORTUNITY TO WELCOME CHIEF HERNANDEZ, OUR CHIEF. COUNCILMAN PIERRE INDICATED THAT HE HAD A CHANCE TO SIT WITH THE CHIEF AND THE CITY MANAGER. COUNCILMAN PIERRE EMPHASIZED THAT HE UNDERSTANDS NORTH MIAMI BEACH AND HE HAS A PLAN, IT LOOKS LIKE WE ARE IN GOOD HANDS, AND COUNCILMAN PIERRE INDICATED THAT WE WILL GIVE HIM ALL THE SUPPORT THAT HE NEEDS. COUNCILMAN PIERRE STATED HE KNOWS NORTH MIAMI BEACH WILL BE NORTH MIAMI BEACH.

(CNMB-CC MINUTES TAPE #388)

2. COUNCILMAN PIERRE INDICATED ON A SADDER NOTE, THAT HE WISHED TO TRANSFER HIS CONDOLENCES TO ALL THE EMPLOYEES AND ALL THE RESIDENTS THAT WE LOST RECENTLY. COUNCILMAN PIERRE SAID THAT, IN THE CULTURAL COMMITTEE, WE HAVE TWO OPENINGS SINCE THERE HAS BEEN TWO DEATHS OF THE CITRONS. COUNCILMAN PIERRE INDICATED TO THOSE OF YOU WHO ARE LISTENING, IF YOU WANT TO BE PART OF OUR CITY, IF YOU WANT TO ENJOY OUR CULTURALLY DIVERSE CITY THIS IS YOUR OPPORTUNITY TO COME AND JOIN US. THE COMMITTEE MEETS EVERY THIRD OR FOURTH MONDAY AT 3:30 UPSTAIRS, AND FEEL FREE TO ATTEND AND, YOU WILL BE WELCOME. COUNCILMAN PIERRE WISHED EVERYONE A GOODNIGHT.

(CNMB-CC MINUTES TAPE #388)

F. COUNCILMAN ROSNER'S REPORT:

1. COUNCILMAN ROSNER WISHED EVERYONE A GOOD EVENING. COUNCILMAN ROSNER INDICATED TO THE CHIEF THAT HE DID COME TO HIS CEREMONY AND, IT WAS GREAT AND WELCOME TO NORTH MIAMI BEACH. COUNCILMAN ROSNER EMPHASIZED THAT HE WILL ALSO PROVIDE HIS SUPPORT AS MUCH AS HE CAN. COUNCILMAN ROSNER STATED THANK YOU AND GOOD NIGHT.

(CNMB-CC MINUTES TAPE #388)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

G. MAYOR MARIN'S REPORT:

1. MAYOR MARIN WISHED EVERYBODY A GOOD EVENING, AND EXPRESSED TO THE CHIEF THAT THE CHIEF KNEW WHERE HE WAS, THAT HE HAD GIVEN HIM HIS APOLOGIES, IN ADVANCE, AND THAT HE WAS SORRY HE MISSED HIS SWEARING IN CEREMONY BUT HE HAD TO GO AWAY FOR CITY BUSINESS. MAYOR MARIN EXPRESSED HIS CONGRATULATIONS TO THE CHIEF.

(CNMB-CC MINUTES TAPE #388)

2. MAYOR MARIN STATED THAT HE DID GO AWAY ON A CONFERENCE OF MAYORS IN WASHINGTON D.C. FOR ABOUT FOUR DAYS. MAYOR MARIN INDICATED TO EVERYONE THAT THE CONFERENCE OF MAYORS, THROUGH THEIR EFFORTS, HAS GOTTEN CONGRESS TO PASS AN ENERGY EFFICIENT AND CONSERVATIVE BLOCK GRANT BILL. MAYOR MARIN STATED THAT THE PRESIDENT HAD SIGNED IT, BUT THE PROBLEM NOW IS THE BILL CALLS FOR TWO BILLION DOLLARS A YEAR TO BE ALLOCATED TO ALL THE CITIES IN THE COUNTRY. IT IS NOW AWAITING APPROPRIATIONS FROM THE CONGRESS WHICH WE HOPE WILL HAPPEN IN THE NEXT FEW MONTHS. WHAT MAKES THIS BLOCK GRANT DIFFERENT FROM ALL THE OTHER BLOCK GRANTS IS IT DOES NOT REQUIRE THE FIFTY-THOUSAND MINIMUM. THIS PARTICULAR BLOCK GRANT REQUIRES A MINIMUM OF POPULATION OF THIRTY-FIVE THOUSAND, SO IF YOU HAVE MORE THAN THIRTY-FIVE THOUSAND IN POPULATION YOU GET DIRECT FUNDING IF THE APPROPRIATIONS GO THROUGH. MAYOR MARIN STATED THAT WE WORKED VERY HARD ON THIS. MAYOR MARIN SAID THE CITY OF NORTH MIAMI BEACH REACHES ALLOCATION, AND IT IS ABOUT A HUNDRED AND TWENTY-ONE THOUSAND BASED ON THE LAST CENSUS AND BASED UPON THE NEW ESTIMATES IT IS ABOUT A HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS. COUNCILWOMAN SMITH INDICATED THAT WAS VERY NICE. MAYOR MARIN STATED THAT THE MANAGER IS AWARE OF IT AND HE IS GOING TO BE MOVING FORWARD WITH IT, AND WE JUST HAVE WAIT FOR THE APPROPRIATIONS. MAYOR MARIN SAID HE WILL BE WRITING LETTERS TO THE HOUSE AND TO THE SENATE, AND HE WILL URGE HIS COLLEAGUES TO DO THE SAME, TO HAVE OUR SENATORS AND CONGRESSMEN VOTE FOR THE APPROPRIATION OF THE ENERGY CREDIT.

(CNMB-CC MINUTES TAPE #388)

3. MAYOR MARIN STATED THAT MAYORS FROM ALL OVER THE CITIES WERE THERE. THAT ONLY ABOUT ONE HUNDRED AND FIFTY TO ONE HUNDRED AND SEVENTY-FIVE MAYORS SHOWED UP. ONE OF THE MAJOR MAYORS WAS SOME GUY FROM NORTH MIAMI BEACH, THE MAYOR OF NEW YORK MICHAEL BLOOMBERG WAS THERE, RICHARD DALY WAS THERE, SOME OF THE BIG CITIES, AND THE GENTLEMAN FROM LOS ANGELES. MAYOR MARIN STATED ONE OF THE THINGS THAT WE ALL DID WAS WE GAVE A PUBLIC SERVICE ANNOUNCEMENT ON THE PROBLEMS THAT WE ARE HAVING WITH MORTGAGE PAYMENTS TODAY. MAYOR MARIN STATED HE WILL BE SITTING DOWN WITH THE MANAGER AND SETTING UP A SESSION HERE IN THE CITY DOWNSTAIRS SOME PLACE. MAYOR MARIN SAID WE ARE GOING TO HAVE TO GET OUT TO THE COMMUNITY ON MORTGAGE PAYMENTS, WHEN THEY START TO FALL BEHIND. THE MORTGAGE BANKERS ASSOCIATION

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

G. MAYOR MARIN'S REPORT (CONTINUED):

TOGETHER WITH BANK OF AMERICA AND HUD, AND A BUNCH OF OTHER ORGANIZATIONS HAVE GOTTEN TOGETHER AND WHICH YOU HAVE HEARD ALWAYS SAY IT IS A MATTER OF AMORTIZATION. MAYOR MARIN STATED IT IS A MATTER OF SITTING DOWN WITH PEOPLE THAT ARE HAVING PROBLEMS WITH THEIR MORTGAGES TO EXPLAIN TO THEM THEY NEED TO MAKE THE INITIAL CALL. THEY SHOULD NOT WAIT UNTIL THE MORTGAGE COMPANIES SEND THEIR FINAL NOTICE. MORTGAGE COMPANIES WANT TO SIT DOWN WITH YOU TO RESOLVE YOUR CASH FLOW PROBLEMS. THEY ARE WILLING TO CHANGE YOUR RATES, YOUR AMORTIZATION PERIODS, CONVERSIONS, AND EVERYTHING ELSE. MAYOR MARIN SAID THAT YOU NEED TO TAKE THE INITIATIVE, AND THAT IS ONE OF THE THINGS WE ARE GOING TO BE DOING.

(CNMB-CC MINUTES TAPE #388)

4. MAYOR MARIN ADDRESSED THE CITY MANAGER THAT ON THURSDAY HE WANTED HIM TO HAVE A MEETING WITH HIM ON THE FOUR TO SIX LICENSE TOGETHER WITH THE CITY ATTORNEY SO THEY CAN DISCUSS A GAME PLAN ON THAT.

(CNMB-CC MINUTES TAPE #388)

5. MAYOR MARIN WANTED TO ADVISE THAT IT IS THE BEGINNING OF TAX SEASON AND FOR THOSE THAT DO NOT HAVE SUBSTANTIAL INCOME AND HAVE LARGE FAMILIES, HE WANTED TO REMIND EVERYBODY OF THE EARNED INCOME CREDIT AND CHILD TAX CARE CREDITS THAT ARE AVAILABLE. MAYOR MARIN SAID YOU SHOULD TAKE ADVANTAGE OF THEM. IT REPRESENTS A MAXIMUM OF ABOUT FOUR THOUSAND SEVEN HUNDRED DOLLARS OF CREDITS THAT THE GOVERNMENT, THE IRS WILL ACTUALLY SEND YOU A CHECK FOR UTILIZATION OF THE EARNED INCOME AND CHILD CARE TAX CREDITS. MAYOR MARIN STATED IF YOU HEARD IT FOR THE FIRST TIME TELL YOUR FRIENDS, TELL YOUR NEIGHBORS, IT IS AVAILABLE. THE LATEST STATISTICS IN THE IRS IS A LOT OF PEOPLE ARE NOT TAKING ADVANTAGE OF IT. THEY SHOULD, ESPECIALLY IN TODAY'S TIME.

(CNMB-CC MINUTES TAPE #388)

6. MAYOR MARIN STATED WITH THAT OUR NEXT SCHEDULED MEETING IS TUESDAY, FEBRUARY 19, 2008.

(CNMB-CC MINUTES TAPE #388)

7. MAYOR MARIN STATED THAT THERE WERE TWO MORE THINGS HE WANTED TO MENTION. HE INDICATED THAT COUNCILWOMAN SMITH HIT ON ONE OF THEM, ON THE PROGRAMS THAT THE CITY OFFERS. WE OFFER REALLY A LOT OF DIVERSIFICATION IN OUR PROGRAMS. MAYOR MARIN SAID I DO NOT KNOW HOW MANY PEOPLE ARE REALLY AWARE OF THE SPRING AND SUMMER PROGRAMS WE HAVE AT THE CHALLENGER PARK, ON OUR MUSIC PROGRAMS, THEY ARE REALLY

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

G. MAYOR MARIN'S REPORT (CONTINUED):

TERRIFIC. MAYOR MARIN STATED THAT HE KNEW EVERYBODY KNOWS THAT DOWNSTAIRS THERE IS NOT A MONTH THAT DOES NOT GO BY THAT WE DO NOT HAVE SOME TYPE OF PROGRAM EVERY THURSDAY. WE HAVE PROGRAMS THAT ARE JAMAICAN, HAITIAN, SPANISH, CHINESE; YOU NAME IT WE GOT IT. YOU REALLY NEED TO TAKE ADVANTAGE OF IT, AND MOST OF IT IS FREE. MAYOR MARIN STATED THAT HE WOULD ENCOURAGE EVERYBODY TO PARTICIPATE.

(CNMB-CC MINUTES TAPE #388)

8. MAYOR MARIN STATED THAT THE NEW NEXT PRESIDENT OF THE LEAGUE OF THE CONFERENCE OF MAYORS IS GOING TO BE MANNY DIAZ, MAYOR OF MIAMI. HE HAS ALREADY BEEN APPOINTED. IT TAKES EFFECT ON JULY 1. MAYOR MARIN SAID THAT IS A BIG FEATHER FOR MANNY AND IT IS A BIG FEATHER FOR SOUTH FLORIDA, BECAUSE FOR THE NEXT YEAR WE WILL BE IN THE FOCAL POINT.

(CNMB-CC MINUTES TAPE #388)

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 10:27 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 THIRTEEN (13) 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 FIFTH (5TH) DAY OF FEBRUARY, 2008.



SOLOMON ODENZ, CITY CLERK
CITY OF NORTH MIAMI BEACH

(SEAL)