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MINUTES

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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: MAYOR RAYMOND F. MARIN

3. SALUTE TO THE AMERICAN FLAG.

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

WITHDRAWAL – ITEM #13B LEGISLATION
RESOLUTION NO. R2008-5 (SEE PAGE 4)

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS:

NONE

B. PRESENTATIONS:

1. PRESENTATION OF THE OFFICER OF THE MONTH AWARD, BY MAYOR RAYMOND F. MARIN, TO DETECTIVE MICHAEL STEIN AS THE OUTSTANDING OFFICER FOR THE MONTH OF JANUARY 2008.

MAYOR RAYMOND F. MARIN AND CHIEF RAFAEL P. HERNANDEZ JR., PRESENTED DETECTIVE MICHAEL STEIN THE OFFICER OF THE MONTH AWARD, AS THE OUTSTANDING OFFICER FOR THE MONTH OF JANUARY 2008.

MR. BARRY SNYDER, ESQUIRE, REPRESENTING THE LAW OFFICES OF SNYDER AND GONZALEZ, P.A., PRESENTED A \$50.00 DONATION.

5. **APPOINTMENTS/PRESENTATIONS (CONTINUED):**

2. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN, PROCLAIMING MARCH 4, 2008 AS RILEY DAY.

MAYOR RAYMOND F. MARIN, PRESENTED A PROCLAMATION TO "RILEY" THE DOG AND HIS OWNER DECLARING MARCH 4, 2008 AS "RILEY DAY".

6. **APPROVAL OF MINUTES OF FEBRUARY 19, 2008.**

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN DEROSE, to APPROVE THE MINUTES OF FEBRUARY 19, 2008. MOTION CARRIED.

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

- A. CITY MANAGER KLOPP HAS REQUESTED THE APPROVAL FOR THE WAIVER OF BID FOR FLORIDA POWER AND LIGHT COMPANY TO PROCEED WITH INSTALLATION OF 34 DECORATIVE STREET LIGHTS ALONG NE 17TH AVENUE BETWEEN NE 163RD STREET AND SOUTH GLADES DRIVE IN CITY CENTER IN THE AMOUNT OF \$104,328.95.

MOTION by COUNCILMAN ROSNER, seconded by VICE MAYOR JULIEN, to APPROVE THE REQUEST FOR THE WAIVER OF BID FOR FLORIDA POWER AND LIGHT CO. TO PROCEED WITH INSTALLATION OF 34 DECORATIVE STREET LIGHTS ALONG NE 17TH AVENUE BETWEEN NE 163RD STREET AND SOUTH GLADES DRIVE IN CITY CENTER IN THE AMOUNT OF \$104,328.95. MOTION CARRIED.

WITH COUNCILWOMAN SMITH VOTING IN THE NEGATIVE.

(CNMB-CC MINUTES TAPE #390)

- B. CITY MANAGER KLOPP HAS REQUESTED THE APPROVAL FOR THE EXPENDITURE OF \$492,000.00 FROM THE FEDERAL JUSTICE LAW ENFORCEMENT TRUST FUND AND \$413,500.00 FROM THE STATE AND LOCAL LAW ENFORCEMENT TRUST FUND (POLICE DEPARTMENT).

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to APPROVE THE REQUEST FOR EXPENDITURE OF \$492,000.00 FROM THE FEDERAL JUSTICE LAW ENFORCEMENT TRUST FUND AND \$413,500.00 FROM THE STATE AND LOCAL LAW ENFORCEMENT TRUST FUND (POLICE DEPARTMENT). MOTION CARRIED.

(CNMB-CC MINUTES TAPE #390)

7. **CITY MANAGER'S REPORT - KEVEN R. KLOPP (CONTINUED):**

- C. CITY MANAGER KLOPP WISHED TO ENCOURAGE EVERYONE TO COME OUT THIS SUNDAY TO THE COMMUNITY FESTIVAL FROM 2:00 P.M. TO 9:00 PM, LOCATED ON HANFORD BOULEVARD WHICH IS ON N.E. 164TH STREET. THE CENTER OF ACTIVITY WILL BE WHERE HANFORD BOULEVARD INTERSECTS WITH N.E. 19TH AVENUE. CITY MANAGER KLOPP DESCRIBED THAT WE WILL HAVE THREE STAGES AMONG THE ACTIVITIES ON HANFORD BOULEVARD, ALSO ENTERTAINMENT AND FOOD ALL DAY LONG AND ARTS AND CRAFTS TO VIEW AS WELL. CITY MANAGER KLOPP STATED THAT HOPEFULLY THE WEATHER WILL WORK OUT WELL AND WE WILL HAVE A GREAT FIRST ANNUAL COMMUNITY FESTIVAL.

(CNMB-CC MINUTES TAPE #390)

- D. CITY MANAGER KLOPP INDICATED THAT THE MIAMI-DADE RECONSTRUCTION OF N.E. 15TH AVENUE WILL BE BEGINNING. CITY MANAGER KLOPP STATED THAT THIS IS GOING TO BE A DIFFICULT PROJECT FOR THE CITY OF NORTH MIAMI BEACH PROBABLY FOR THE NEXT YEAR INCLUDING THE CLOSURE OF THE BRIDGE ON 15TH AVENUE OVER SNAKE CREEK CANAL. CITY MANAGER KLOPP SAID THAT WE DO HAVE AN ENGINEER THAT IS SPECIFICALLY ASSIGNED TO WORK WITH THE COUNTY ON THAT, AND THAT IF OUR RESIDENTS HAVE ANY PROBLEMS PLEASE DO NOT HESITATE TO CALL HIMSELF OR MR. KELVIN BAKER'S OFFICE AND WE WILL GET ANYONE IN TOUCH WITH THE LIAISON THAT WE HAVE TO THE COUNTY AND THE CONTRACTOR.

(CNMB-CC MINUTES TAPE #390)

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

THE CITY ATTORNEY WAIVED HIS REPORT.

(CNMB-CC MINUTES TAPE #390)

9. **SCHEDULED CITIZENS APPEARANCE:**

- A. NATALIA DeBIASI
2374 N.E. 172 STREET
NORTH MIAMI BEACH, FL.

RE: COMPLAINTS REGARDING 171ST STREET AND 172ND STREET BLOCKS BETWEEN WEST DIXIE HIGHWAY AND 22ND AVENUE.

10. **MISCELLANEOUS ITEMS:**

NONE

11. **WAIVER OF FEE:**

NONE

12. BUSINESS TAX RECEIPT MATTERS - CITY CLERK:

NONE

13A. ADMINISTRATION OF TESTIMONY OATH - CITY CLERK:

RECENT FLORIDA SUPREME COURT RULINGS REGARDING MUNICIPAL ZONING MATTERS REQUIRE ALL CITIZENS WHO WILL BE PRESENT BEFORE THE LEGISLATIVE BODY OR CITY COUNCIL TO FOLLOW THE RULE OF TESTIMONY OATH. (CITY CLERK TO ADMINISTER OATH)

THE CITY CLERK ADMINISTERED THE OATH.

13B. LEGISLATION:

RESOLUTIONS (SERIATIM NO. R2008-11):

RESOLUTION NO. R2008-3, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, URGING THE U.S. DEPARTMENT OF JUSTICE TO CONVENE A GRAND JURY TO INVESTIGATE THE DEATHS OF ARMANDO ALEJANDRE, JR., MARIO DE LA PENA, CARLOS COSTA, AND PABLO MORALES, THE BROTHERS TO THE RESCUE PILOTS WHO WERE SHOT DOWN BY TWO CUBAN AIR FORCE WAR PLANES WHILE FLYING A HUMANITARIAN SEARCH AND RESCUE MISSION IN TWO UNARMED U.S. LICENSED CIVILIAN AIRCRAFT IN THE FLORIDA STRAITS ON FEBRUARY 24, 1996; AND STRONGLY URGING CONGRESS TO CONDEMN THESE RUTHLESS AND VIOLENT ACTS", was introduced by MOTION OF COUNCILMAN PIERRE, seconded by COUNCILMAN CHERNOFF. MOTION CARRIED.

MOTION by MAYOR MARIN, seconded by COUNCILMAN CHERNOFF, to ADOPT RESOLUTION NO. R2008-3. MOTION CARRIED.

RESOLUTION NO. R2008-5, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RENAMING THE TOT LOT IN EASTERN SHORES AS "THE BERNARD & SYLVIA CITRON TOT LOT AT EASTERN SHORES, NORTH MIAMI BEACH, FLORIDA".

THIS RESOLUTION WAS WITHDRAWN.

RESOLUTION NO. R2008-6, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUESTING THAT GOVERNOR CHARLIE CRIST AND THE CABINET FORM A REGIONAL LAW ENFORCEMENT TASK FORCE TO ADDRESS REGIONAL ISSUES OF JUVENILE AND ADULT GANGS IN OUR TRI-COUNTY AREA", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to ADOPT RESOLUTION NO. R2008-6. MOTION CARRIED.

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-7, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING SITE PLAN APPROVAL AND EASEMENT OVER PUBLIC RIGHT-OF-WAY (OR, ALTERNATIVELY, RIGHT-OF-WAY VACATION), IN ORDER TO CONSTRUCT A 14,550 SQUARE FOOT ONE-STORY RETAIL BUILDING ON A 52,175 SQUARE FOOT (1.2 ACRE) PARCEL OF LAND, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-52(D)(1) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE 1.8 ACRES OF THE MINIMUM REQUIRED LOT SIZE OF THREE (3) ACRES, WHERE DEVELOPMENT OF A 1.2 ACRE PARCEL IS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-52(D)(3) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE THIRTEEN (13) FEET OF THE MINIMUM REQUIRED REAR YARD SETBACK OF TWENTY-FIVE (25) FEET, WHERE REAR YARD SETBACK OF TWELVE (12) FEET IS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

LOTS 2 & 3, BLOCK 2, SUNNY ISLES BISCAYNE BOULEVARD SUBDIVISION, PLAT BOOK 40, PAGE 4 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A/K/A

15050 Biscayne Boulevard
North Miami Beach, Florida

(P&Z ITEM NO. 07-423 OF FEBRUARY 11, 2008)", was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to AMEND RESOLUTION NO. R2008-7, THAT CONDITION NUMBER 9 WILL BE MODIFIED BY CHANGING FROM BACK LIT STAINLESS STEEL LETTERS, TO STANDARD FLUSH MOUNTED STAINLESS STEEL CHANNEL LETTERS, WITH A RED FACE, ALSO MODIFYING CONDITION NUMBER 10 BY CHANGING IT FROM A ROUTED BACK LIT STAINLESS STEEL PANEL TO CBS BASE SIGN ON WHICH THE FLUSH MOUNTED STAINLESS STEEL RED FACED CHANNEL LETTERS WILL BE PLACED. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT RESOLUTION NO. R2008-7, as AMENDED. MOTION CARRIED.
BY THE FOLLOWING ROLL CALL VOTE:

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	

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-7 (CONTINUED):

Name of Party(ies) Appearing:

- | | |
|---|---|
| 1. Alan Rosenthal, Attorney-At-Law
2875 N.E. 191 Street, #500
Aventura, FL. | 2. Carmen Kienzle
1653 N.E. 178 Street
North Miami Beach, FL. |
|---|---|
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RESOLUTION NO. R2008-8, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING SITE PLAN APPROVAL, IN ORDER TO CONSTRUCT A GAZEBO IN THE REAR YARD OF AN EXISTING SINGLE FAMILY HOUSE ON A 10,251 SQUARE FOOT PARCEL OF LAND, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-41(D)(1) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE EIGHTEEN (18) FEET OF THE MINIMUM REQUIRED REAR YARD SETBACK OF TWENTY-FIVE (25) FEET, WHERE REAR YARD SETBACK OF SEVEN (7) FEET IS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS: LOT 52, BLOCK 5, EASTERN SHORES, PLAT BOOK 65, PAGE 28, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

A/K/A

16486 N.E. 32 Avenue

North Miami Beach, Florida

(P&Z ITEM NO. 07-430 OF FEBRUARY 11, 2008)", was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by MAYOR MARIN.

MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to ADOPT RESOLUTION NO. R2008-8. MOTION CARRIED.

BY THE FOLLOWING ROLL CALL VOTE:

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	

Name of Party(ies) Appearing:

1. Bruce Lamberto
3420 N.E. 168 Street
North Miami Beach, FL.
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13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-9, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL, CONDITIONAL USE APPROVALS, AND RIGHT-OF-WAY DEDICATION, IN ORDER TO CONSTRUCT THREE (3) NEW ONE-STORY RETAIL BUILDINGS TOTALING 20,700 SQUARE FEET AND A TOWER FEATURE AT AN EXISTING 259,193 SQUARE FOOT SHOPPING MALL ON A 1,168,931 SQUARE FOOT PARCEL OF LAND, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-52(D)(3) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE FIVE (5) FEET OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF TWENTY-FIVE (25) FEET, WHERE FRONT YARD SETBACK OF TWENTY (20) FEET IS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-52(D)(5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE 2.62% (30,204 SQUARE FEET) OF THE MINIMUM REQUIRED PERVIOUS AREA OF TWENTY (20%) PERCENT (230,592 SQUARE FEET), WHERE PROVISION OF 17.38% PERVIOUS AREA (200,388 SQUARE FEET) IS PROPOSED, ON EXISTING PERVIOUS AREA OF 18.33% (214,248); AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE APPROVAL IN ACCORDANCE WITH SECTION 24-52(C)(14) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, IN ORDER TO OPERATE UP TO FOUR (4) FAST FOOD RESTAURANTS, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING CONDITIONAL USE APPROVAL IN ACCORDANCE WITH SECTION 24-52(C)(17) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, IN ORDER TO OPERATE A TANNING SALON, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE APPROVAL IN ACCORDANCE WITH SECTION 24-52(C)(5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, IN ORDER TO OPERATE A PACKAGE LIQUOR STORE, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING CONDITIONAL USE APPROVAL IN ACCORDANCE WITH SECTION 24-52(C)(5) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, IN ORDER TO OPERATE A BAR OR LOUNGE, AS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

(LENGTHY LEGAL DESCRIPTION, SEE ATTACHED EXHIBIT "A")

A/K/A

3501 N.E. 163 Street

North Miami Beach, Florida

(P&Z ITEM NO. 07-249 OF FEBRUARY 11, 2008)", was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by MAYOR MARIN.

MOTION CARRIED.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN ROSNER, to AMEND RESOLUTION NO. R2008-9, TO HAVE ANY DRIVE THRU RESTAURANT MAKE AN

APPLICATION AND COME BEFORE THE CITY COUNCIL FOR A CONDITIONAL USE APPROVAL.

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-9 (CONTINUED):

CLERKS NOTE:

CITY MANAGER KEVEN KLOPP AND CITY PLANNER CHRIS HEID LATER CLARIFIED THE ABOVE-DESCRIBED AND INDICATED THAT, IN ESSENCE, THE SECOND SENTENCE IN CONDITION NO. 19 WAS BEING ELIMINATED.

AFTER SOME DISCUSSION, COUNCILMAN ROSNER WITHDREW HIS SECOND, AND THEREAFTER, COUNCILWOMAN SMITH WITHDREW HER MOTION.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN DEROSE, to AMEND RESOLUTION NO. R2008-9, BY ELIMINATING A PHRASE IN CONDITION 17, THE BAR/LOUNGE AND GARDEN AREA WILL BE ON THE WATERFRONT (INTRACOASTAL) ONLY, AND LIMITED TO THE INTRACOASTAL BUILDING. MOTION DEFEATED,
BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR JULIEN	NO	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 3 YES
COUNCILMAN CHERNOFF	NO	4 NO)
COUNCILMAN PIERRE	NO	
COUNCILMAN ROSNER	NO	
MAYOR MARIN	YES	

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH, to AMEND RESOLUTION NO. R2008-9, TO HAVE THE PACKAGE LIQUOR STORE CLOSE WHEN WINN DIXIE CLOSES, BUT IN NO EVENT SHALL THE LIQUOR STORE BE OPEN PAST MIDNIGHT (CONDITION NO. 20). MOTION DEFEATED,
BY THE FOLLOWING ROLL CALL VOTE:

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

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT PARAGRAPHS 1, 2, and 3 of RESOLUTION NO. R2008-9. MOTION CARRIED,
BY THE FOLLOWING ROLL CALL VOTE:

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

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-9 (CONTINUED):

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT
PARAGRAPHS 4, 5, 6, and 7 of RESOLUTION NO. R2008-9. MOTION CARRIED,
BY THE FOLLOWING ROLL CALL VOTE:

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	

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT
RESOLUTION NO. R2008-9, as AMENDED. MOTION CARRIED,
BY THE FOLLOWING ROLL CALL VOTE:

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	

CLERKS NOTE: THE FOLLOWING CHANGES WERE MADE IN RESOLUTION NO. 2008-9:

1. IT WAS AGREED THAT THERE BE A PLAN, FOR THE REAR OF THE BUILDING, IN THREE (3) MONTHS.
2. CITY MANAGER KEVEN KLOPP AND CITY PLANNER CHRIS HEID INDICATED THAT THE SECOND SENTENCE OF CONDITION NO. 19 WOULD BE ELIMINATED.
3. A NEW CONDITION (i.e. CONDITION NO. 21) WAS STIPULATED OR AGREED TO BY THE ATTORNEY RELATIVE TO THE DESIGN OF THE BANK BUILDING.

Name of Party(ies) Appearing:

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Jeffrey Berkow, Attorney-At-Law
Law Firm of Berkow, Dell & Fernandez
200 S. Biscayne Boulevard
Miami, FL. 2. Matthew Amster, Attney-At-Law
Law Firm of Berkow, Dell & Fernandez
200 S. Biscayne Boulevard | <ol style="list-style-type: none"> 3. Leo Marks
3703 N.E. 166 Street
North Miami Beach, FL. 4. Liliana Custy
3808 N.E. 166 Street
North Miami Beach, FL. |
|---|--|

Miami, FL.

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-9 (CONTINUED):

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| 5. Hank Anglade
3460 N.E. 163 Street
North Miami Beach, FL | 8. Bruce Lamberto
3420 N.E. 165 Street
North Miami Beach, FL. |
| 6. Carmen Kienzle
1653 N.E. 178 Street
North Miami Beach, FL. | 9. Fortuna Smukler
3207 N.E. 168 Street
North Miami Beach, FL. |
| 7. Joan Marks
3703 N.E. 166 Street
North Miami Beach, FL. | 10. Alison Robie
2131 N.E. 179 Street
North Miami Beach, FL. |

RESOLUTION NO. R2008-10, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE, ASSIGNING ITS DUTIES AND DURATION, PROVIDING AUTHORITY FOR EXPENDITURES; PROVIDING FOR PUBLIC MEETINGS; PROVIDING FOR A METHOD OF PROVIDING LEGAL AND STAFF SUPPORT FOR THE COMMITTEE, AND PROVIDING FOR AN EFFECTIVE DATE AND A DATE FOR TERMINATION OF ACTIVITIES", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN PIERRE.

MOTION CARRIED.

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN PIERRE, to ADOPT RESOLUTION NO. R2008-10.

MOTION by VICE MAYOR JULIEN, seconded by COUNCILMAN DEROSE, to AMEND RESOLUTION NO. R2008-10, SO THAT INSTEAD OF IT REQUIRING SEVEN (7) AND TWO (2) AT-LARGE, THAT IT NOW ONLY REQUIRE SEVEN MEMBERS AND NOT REQUIRE THE AT- LARGE.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN COUNCILWOMAN SMITH, to ADOPT RESOLUTION NO. R2008-10, as AMENDED. MOTION CARRIED.
BY THE FOLLOWING ROLL CALL VOTE:

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	

13B. LEGISLATION (CONTINUED):

ORDINANCES - FIRST READING, BY TITLE ONLY:
(SERIATIM NO. 2008-7)

ORDINANCE NO. 2008-5, entitled “AN ORDINANCE AMENDING SECTION 2-23.3 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ALLOWING PERSONS SERVING ON CITY BOARDS OR COMMISSIONS TO SIMULTANEOUSLY SERVE ON THE PROPOSED CHARTER REVIEW COMMITTEE”, was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by MAYOR MARIN ON ITS FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN PIERRE, to ADOPT ORDINANCE NO. 2008-5 ON ITS FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

ORDINANCE NO. 2008-6, entitled “AN ORDINANCE REENACTING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, AND THE SAVING FROM REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR RECODIFICATION; AUTHORIZING CERTAIN MODIFICATIONS TO CODE; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE”, was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by MAYOR MARIN ON ITS FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by MAYOR MARIN, to ADOPT ORDINANCE NO. 2008-6 ON ITS FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2008-4, entitled “AN ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED NORTH MIAMI BEACH ZONING AND LAND DEVELOPMENT CODE; PROVIDING A DEFINITION OF PLACES OF PUBLIC ASSEMBLY; TREATING ALL PLACES OF PUBLIC ASSEMBLY, INCLUDING RELIGIOUS INSTITUTIONS, IN A UNIFORM AND NON-DISCRIMINATORY MANNER SO AS TO COMPLY WITH THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT [RLUIPA]; 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 PIERRE, seconded by COUNCILWOMAN SMITH ON ITS SECOND AND FINAL READING.

MOTION CARRIED.

ORDINANCES - SECOND AND FINAL READING (CONTINUED):

ORDINANCE NO. 2008-4 (CONTINUED):

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN, to ADOPT ORDINANCE NO. 2008-4, 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: 7 YES
COUNCILMAN CHERNOFF	YES	0 NO)
COUNCILMAN PIERRE	YES	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

14. UNSCHEDULED CITIZENS APPEARANCES:

A. PEDRO VALLES - OPERATIONS DIVISION CHIEF
MIAMI-DADE FIRE RESCUE
9300 NW 41 STREET
DORAL, FL.

RE: FIRE AND RESCUE EXPO

B. ALLISON ROBIE
2131 N.E. 179 STREET
NORTH MIAMI BEACH, FL.

RE: CHARTER REVIEW

C. LEO MARKS
3703 N.E. 166 STREET
NORTH MIAMI BEACH, FL.

RE: COMPLIMENTS: VERY IMPRESSED, COUNCIL WAS EXCELLENT

15. CITY COUNCIL COMMITTEE REPORTS:

A. VICE MAYOR JULIEN'S REPORT:

1. VICE MAYOR JULIEN WISHED TO INVITE EVERYONE IN THE LISTENING AUDIENCE TO OUR 3RD ANNUAL NORTH MIAMI BEACH GARAGE SALE. VICE MAYOR JULIEN REMEMBERED THE FIRST TIME WHEN HE INTRODUCED THIS IN 2006. VICE MAYOR JULIEN WISHED TO STATE THAT EVERYBODY HAS HAD A GREAT TIME WITH IT AND IT GIVES THE RESIDENTS OF THE CITY AN OPPORTUNITY TO CLEAN OUT THEIR HOMES, AND MAKE A COUPLE OF DOLLARS AND MEET THEIR NEIGHBORS AND THE COMMUNITY AS WELL. VICE MAYOR JULIEN STATED THAT IT IS FREE OF CHARGE, IT IS ON A FIRST COME FIRST SERVE BASIS, SO BY ALL MEANS IF ANYONE IS INTERESTED AND THEY WOULD LIKE A TABLE, PLEASE GIVE US A CALL AT 305 948-2986. VICE MAYOR JULIEN WISHED EVERYONE A GOOD EVENING.

(CNMB-CC MINUTES TAPE #390)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

B. COUNCILMAN DEROSE'S REPORT:

1. COUNCILMAN DEROSE STATED TO THE CITY MANAGER KEVIN KLOPP THAT, IN ORDER TO SAVE MONEY NEXT YEAR, IF OUR BUDGET ALLOWS FOR US TO CONTINUE HAVING A COMMUNITY FESTIVAL HE WOULD LIKE TO SEE THAT WE HAVE ONE INCLUSIVE TO INCLUDE EVERY SECTION IN NORTH MIAMI BEACH. COUNCILMAN DEROSE STATED THAT INSTEAD OF HAVING TWO, HE UNDERSTANDS THAT NEXT WEEK WE ARE GOING TO HAVE A FESTIVAL AND THAT LAST MONTH WE HAD ONE, SO HE WISHED TO SEE THAT WE HAVE ONE THAT INCLUDES EVERYONE. COUNCILMAN DEROSE THOUGHT THAT WOULD SAVE US MONEY. COUNCILMAN DEROSE WISHED EVERYONE A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #390)

C. COUNCILWOMAN SMITH'S REPORT:

1. COUNCILWOMAN SMITH THANKED LEO MARKS FOR HIS NICE COMMENTS. COUNCILWOMAN SMITH STATED THAT THEY WORK HARD UP THERE AND SHE DID NOT THINK THE PUBLIC UNDERSTOOD HOW MANY HOURS IT TAKES TO NOT ONLY READ THE AGENDA BUT TO STUDY IT AND TO RIDE BY EVERYONE OF THE PROPERTIES, TO LOOK WHERE WALGREEN'S IS GOING TO GO, AND TO STUDY IT. COUNCILWOMAN SMITH SAID THAT SHE APPRECIATED MR. MARKS NOTICING IT AND THANKED HIM.

(CNMB-CC MINUTES TAPE #390)

2. COUNCILWOMAN SMITH STATED THAT SHE ALSO HAD THE PLEASURE OF GOING TO SPECIAL OLYMPICS. COUNCILWOMAN SMITH STATED THERE WAS A YOUNG GIRL THAT WAS ABOUT TWENTY-FIVE (25) WHO WAS IN A WHEEL CHAIR AND SHE RECEIVED TWO (2) FIRST PLACE RIBBONS, AND AS EVERYBODY GOT THEIR RIBBONS THAT GIRL STARTED SCREAMING AND SHAKING AND SHE MADE COUNCILWOMAN SMITH'S YEAR. COUNCILWOMAN SMITH STATED THAT YOU CAN NOT WALK AWAY FROM THIS EXPERIENCE WITHOUT UNDERSTANDING HOW BLESSED WE ARE. EVERY MINUTE THAT SHE PUTS IN FOR WORK FOR THE CITY SHE IS SO GRATEFUL THAT SHE HAS THE ABILITY TO DO IT. COUNCILWOMAN SMITH THANKED EVERYONE AND WISHED THEM A WONDERFUL NIGHT.

(CNMB-CC MINUTES TAPE #390)

D. COUNCILMAN CHERNOFF'S REPORT:

1. COUNCILMAN CHERNOFF WISHED EVERYBODY A GOOD EVENING AND STATED THAT HE THANKED AND APPRECIATED LEO MARKS FOR HIS COMMENTS. COUNCILMAN CHERNOFF WANTED TO THANK HIS COLLEAGUES FOR COMING TOGETHER AND VOTING UNANIMOUSLY ON ALL THE PLANNING AND ZONING ITEMS THAT THEY HAD BEFORE THEM THIS EVENING, SO WE KNOW THAT WE CAN DO IT, AND THAT IT SHOWS COOPERATION, AND THAT WE ALL CAN GET TOGETHER.

(CNMB-CC MINUTES TAPE #390)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

E. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE DID NOT SUBMIT A REPORT AT THIS TIME.

(CNMB-CC MINUTES TAPE #390)

F. COUNCILMAN ROSNER'S REPORT:

1. COUNCILMAN ROSNER WISHED TO ECHO SOMETHING THAT COUNCILWOMAN SMITH SAID. COUNCILMAN ROSNER STATED THAT THE CITY OPENED OUR DISABILITY SPORTS CENTER AT THE GWEN MARGOLIS AMPHITHEATRE LAST FRIDAY. ONE OF THE PEOPLE WHO WAS THERE TOOK OUT ONE OF THE HAND CYCLES AND HE HAS NOT BEEN ON A BICYCLE SINCE HE GOT HURT. COUNCILMAN ROSNER STATED THAT HE DID NOT KNOW WHEN HE GOT HURT (MAYBE FIFTEEN (15) YEARS AGO), BUT THE SMILE ON HIS FACE WHEN HE WAS GOING AROUND THE CANAL, IS WHAT COUNCILMAN ROSNER SAW. COUNCILMAN ROSNER INDICATED THAT HE FELT SUCH A FREEDOM, THAT HE WAS OUT THERE FOR OVER AN HOUR, HIS ARMS WERE PROBABLY SORE AS ANYTHING BUT THE SMILE ON HIS FACE WAS AMAZING. COUNCILMAN ROSNER ANNOUNCED THAT THE DISABILITY SPORTS CENTER IS OPEN ON MONDAY NIGHTS FROM 5:00 P.M. TO 8:00 P.M., FRIDAY NIGHT 5:00 P.M. TO 8:00 P.M., AND SATURDAY YOU HAVE THE TANDEM BIKING THAT IS RUNNING FROM 9:00 A.M. TO 11:00 A.M. AROUND THE CANAL FOR PEOPLE THAT ARE VISUALLY IMPAIRED. COUNCILMAN ROSNER STATED THAT YOU HAVE AN AMAZING FACILITY THAT WAS COMPLETED, THANKS TO KELVIN (PUBLIC SERVICES DIRECTOR), KEVIN (CITY MANAGER) AND EVERYBODY THAT HELPED PUT IT TOGETHER. THE MONIES CAME FROM THE HANDICAPPED PARKING PROGRAM THAT IS RUN BY THE POLICE DEPARTMENT AND WHAT YOU SEE THERE IS BASICALLY EFFORTS OF THE LAST FIVE (5) YEARS LEADING UP TO THIS OPENING AND IT IS RIGHT NOW JUST GETTING STARTED. COUNCILMAN ROSNER STATED THAT WE ARE REALLY IN A PILOT STAGE BECAUSE THERE IS NOTHING REALLY TO LOOK AT, TO MODEL. EACH OF THE ACTIVITIES THAT ARE HAPPENING THERE ARE AEROBIC EXERCISES. YOU HAVE THE TWO (2) STANDING MACHINES SO PEOPLE CAN ACTUALLY GET OUT OF A WHEELCHAIR AND ACTUALLY TRANSFER AND GO VERTICAL AND ACTUALLY WALK. YOU HAVE THREE (3) HAND CYCLES AND THREE (3) TANDEM BIKES, WEIGHTS, TRANSFER STATION, AND A SCALE THAT CAN FINALLY WEIGH YOU. COUNCILMAN ROSNER INDICATED THAT HE HAD NOT WEIGHED HIMSELF IN SIX (6) YEARS, SO YOU HAVE THE MAKING OF AN AMAZING FACILITY AND AMAZING PROGRAM. COUNCILMAN ROSNER STATED THAT THE MAYOR AND HE WERE IN WASHINGTON LAST WEEK AND THEY MET WITH CONGRESSMEN AND THE SENATORS AND THEY THANKED THEM BECAUSE WE ARE THE RECIPIENTS OF THREE HUNDRED AND SOMETHING THOUSAND DOLLARS COMING WITHOUT THE FILTERING. THE CITY IS THE RECIPIENT OF A THREE HUNDRED AND THIRTY THOUSAND DOLLAR GRANT THAT IS GOING TO BE COMING UP THROUGH CONGRESS THAT WAS EAR MARKED, AND IT IS PASSED, AND HE FELT IT WAS NICE TO SEE IT COME TO FRUITION AFTER SEVERAL YEARS OF WORKING AT IT AND RUNNING. COUNCILMAN ROSNER INDICATED THAT HE HAS BEEN THE LIAISON ON THAT COMMISSION NOW SIX (6) YEARS AND TO SEE

YOUR

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

F. COUNCILMAN ROSNER'S REPORT (CONTINUED):

EFFORTS, FROM THE FEW COMMITTEE MEMBERS THAT WE HAD TO BE RECOGNIZED PROBABLY SOON. THERE IS NOTHING LIKE THIS IN DADE, BROWARD, PALM BEACH. IT IS A RECREATION FACILITY NOT A THERAPEUTIC FACILITY AND IT IS FOR ADULTS AND IT HAS GOT GREAT POTENTIAL.

(CNMB-CC MINUTES TAPE #390)

G. MAYOR MARIN'S REPORT:

1. MAYOR MARIN WISHED A GOOD EVENING TO EVERYBODY AND, AS THE MANAGER SAID EARLIER, THIS SUNDAY FROM 2:00 P.M. TO 9:00 P.M. WE WILL HAVE A FESTIVAL HERE ON HANFORD BOULEVARD, AND EVERYBODY IS INVITED. IT WILL REALLY BE A GREAT TIME.

(CNMB-CC MINUTES TAPE #390)

2. MAYOR MARIN STATED THAT THE ONE THING HE WANTED TO MAKE A COMMENT ON IS THE SPECIAL OLYMPICS. MAYOR MARIN INDICATED THAT COUNCILWOMAN SMITH WAS CORRECT BUT WHAT SHE DID NOT SEE BUT EVERYONE WILL SEE IT AS YOU GO TO IT MORE OFTEN. IS NOT ONE THAT SHAKES AND ONE THAT SCREAMS AND ONE THAT DOES THIS OR CRIES. (COUNCILWOMAN SMITH INTERJECTED THAT THEY ALL DID IT) IT IS HUNDREDS, A FEW THOUSAND, EVERY CHILD THAT GOES THERE WINS, THERE ARE NO LOSERS THERE. MAYOR MARIN INDICATED THAT THE CITY WAS AWARDED AN AWARD BY THE SPECIAL OLYMPICS WHICH HE HAS UPSTAIRS. MAYOR MARIN EXPRESSED THAT FOR ALL THE DEDICATION AND THE WORK THAT WE DO AND THAT WE PROVIDE THEM AT SPECIAL OLYMPICS, BETWEEN THE CITY OF NORTH MIAMI, THE CITY OF NORTH MIAMI BEACH WHERE WE PROVIDE POLICE SERVICES, AMBULANCE SERVICES, WATER. MAYOR MARIN EMPHASIZED THAT PEOPLE NEED TO GO THERE, AND THEY SHOULD MAKE A NOTE OF THIS FOR NEXT YEAR, TO GO THERE AND JUST SEE WHAT THESE PEOPLE GO THROUGH. THEIR AGES GO FROM LITTLE CHILDREN TO ADULTS THAT ARE FORTY-FIVE (45), AND FIFTY-FIVE (55) YEARS OLD. IT IS INCREDIBLE, AND IT WILL LEAVE YOU LITERALLY CRYING THE FIRST TIME YOU EVER GO THERE. MAYOR MARIN REMEMBERED HIS FIRST VISIT, MANY, MANY, YEARS AGO. IT HAS REALLY BEEN GREAT AND HE INVITED EVERYBODY NEXT YEAR. MAYOR MARIN ADDED THAT FOR A LOT OF THOSE THAT SEE THE ADVERTISING FOR THE LOCAL SPECIAL OLYMPICS, (JUST NORTH MIAMI BEACH'S) HE ASKED EVERYONE TO STRETCH AN ARM OUT A LITTLE SO IT DOES NOT CAUSE A SHORTNESS INTO THE POCKET, MAKE A CONTRIBUTION TO THEM. THE FIFTEEN (15), TWENTY (20), THIRTY (30) DOLLARS YOU GIVE GOES A LONG, LONG WAY, AND THIS YEAR WE NEED CONTRIBUTIONS. MAYOR MARIN ASKED THOSE OUT THERE IN T.V. LAND TO PLEASE MAKE A CONTRIBUTION TO THE SPECIAL OLYMPICS FOR NORTH MIAMI BEACH. IT REALLY HELPS A LOT OF CHILDREN AND HE ASKED THEM TO NOT ONLY MAKE OUT A CHECK OUT TO THE SPECIAL OLYMPICS, WHETHER IT IS A DOLLAR, TEN DOLLARS,

FIFTEEN, A HUNDRED, PLEASE DROP IT OFF AT CITY HALL, AND JUST ASK THEM TO GIVE IT TO THE MANAGERS OFFICE.

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

G. MAYOR MARIN'S REPORT (CONTINUED)

AND WE WILL GET IT TO THEM. MAYOR MARIN EMPHASIZED THAT WE NEED CONTRIBUTIONS, AND HE INDICATED THAT YOU NEVER HEAR HIM SIT UP AND HEAR HIM ASKING FOR MONEY FOR ANY ORGANIZATION, BUT HE STATED THAT HE WAS ASKING FOR THIS ONE. IT IS WORTH WHILE EVERY PENNY. THEREAFTER, MAYOR MARIN ANNOUNCED OUR NEXT SCHEDULED MEETING WILL BE TUESDAY, MARCH 18, 2008.

(CNMB-CC MINUTES TAPE #390)

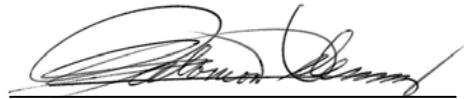
3. CITY MANAGER KLOPP STATED THAT SPEAKING OF THE NEXT MEETING IN REALIZING THAT YOU CHANGED THE CHARTER REVIEW COMMITTEE FROM 9 TO 7 THAT SHORTENS THE TIME FRAME. HE EXPLAINED THAT IF YOUR APPOINTMENTS COME IN THERE IS A CLAUSE IN HERE THAT SAYS "THE CITY COUNCIL SHALL ESTABLISH A TIME, DATE, AND PLACE FOR THE FIRST MEETING OF THE COMMITTEE". CITY MANAGER KLOPP STATED TO THE MAYOR AND COUNCIL THAT IF YOU ALL HAVE YOUR APPOINTMENTS IN I CAN GET THAT TYPE OF THING MOVING QUICKER THAN HAVE TO BRING IT BACK TO THE COUNCIL TO THEN SCHEDULE A MEETING AND LOSE ANOTHER MONTH. CITY MANAGER KLOPP REQUESTED OF THE CITY COUNCIL IF THEY WOULD ALLOW HIMSELF AND THE CITY ATTORNEY TO WORK WITH THE APPOINTED COMMITTEE TO SET A FIRST MEETING. MAYOR MARIN RESPONDED YES, UNLESS HE HEARS A CONTRARY BY HIS COLLEAGUES, THAT WILL BE FINE, JUST TO MOVE IT ALONG. CITY ATTORNEY LENARD STATED THAT THERE WAS JUST ONE LITTLE GLITCH. COMMISSIONER ROSNER'S ORDINANCE REGARDING DUAL APPOINTMENT WILL NOT BE HEARD UNTIL THE 18TH SO IF COMMISSIONER ROSNER INTENDS TO APPOINT SOMEBODY OR ANY OF YOU, SOMEBODY WHO IS ALREADY SITTING, WE HAVE TO WAIT UNTIL THEN. CITY MANAGER KLOPP CLARIFIED THAT IT WOULD BE THE FIRST MEETING TO OCCUR AND IF HE WANTS TO APPOINT IT WOULD BE SUBJECT TO THAT ORDINANCE. CITY ATTORNEY STATED THAT EVERYBODY CAN SUBMIT NAMES, AND WE CAN KEEP MOVING FORWARD, AND HE THOUGHT THEY ARE GOING TO BE AT A BETTER POSTURE ON THE 18TH. MAYOR MARIN STATED IT WOULD BE AFTER THE SECOND READING, AND HE WOULD THINK THE MEETING WOULD BE UP TO THE SECOND READING ANYWAY BECAUSE OF THAT, EVEN IF IT IS THE FOLLOWING DAY. CITY ATTORNEY STATED IT IS THE SECOND READING OF THE ORDINANCE AND NOBODY WOULD BE PRECLUDED FROM HANDING IN NAMES.

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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 10:38 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
SEVENTEEN (17) 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 4TH DAY OF MARCH, 2008.



SOLOMON ODENZ, CITY CLERK
CITY OF NORTH MIAMI BEACH

(S E A L)