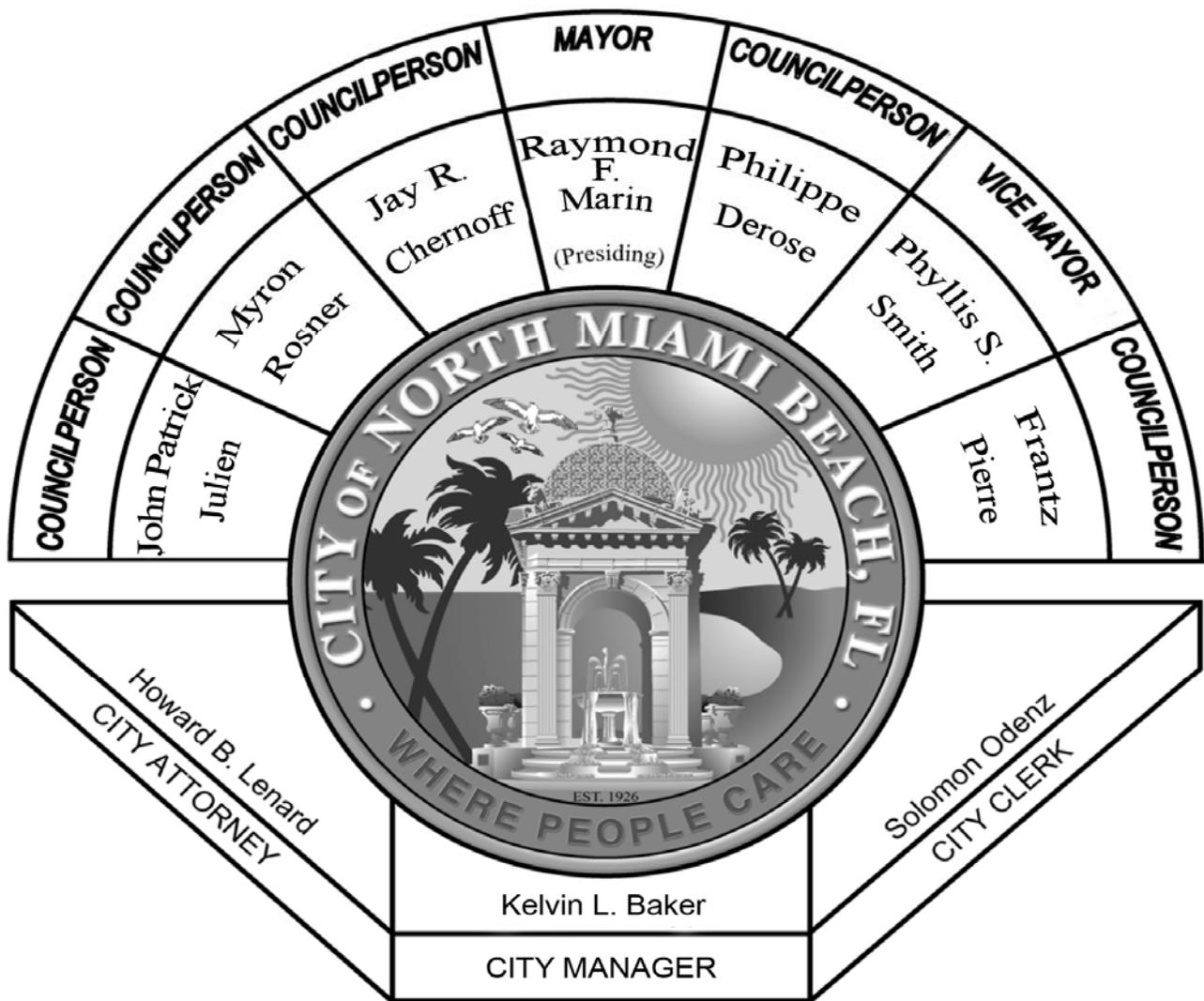


*Welcome
To A Meeting of the
City of North Miami Beach City Council
Your City Officials*



AGENDA

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

DATE and TIME: TUESDAY, NOVEMBER 18, 2008, 7:30 PM

LOCATION: CITY HALL, 17011 NE 19th AVENUE
2ND FLOOR, COUNCIL CHAMBERS

NEXT CITY COUNCIL MEETING: TUESDAY, DECEMBER 2, 2008

AGENDA ITEMS

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

2. **INVOCATION:**

RABBI RAFAEL ROSENBERG,
SKYLAKE SYNAGOGUE

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

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

5. **APPOINTMENTS/PRESENTATIONS:**

A. **APPOINTMENTS:**

NONE

B. **PRESENTATIONS:**

1. PRESENTATION TO HOWARD B. LENARD, CITY ATTORNEY, BY CARLOS MARTINEZ, PUBLIC DEFENDER-ELECT AND BENNETT BRUMMER, PUBLIC DEFENDER.
2. PRESENTATION OF CERTIFICATE(S) BY VICE MAYOR SMITH TO THE GOVERNMENT CITIZENS ACADEMY PARTICIPANTS.
3. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY COUNCILMAN FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO KEVIN MOZELL AS THE EMPLOYEE OF THE MONTH FOR NOVEMBER.
4. DEMONSTRATION BY TOM CARNEY, DIRECTOR OF POLICE SERVICES, OF THE NEW POLICE CRIME MAPPING SYSTEM AND ROBOTIC POLICE CAR FOR COMMUNITY OUTREACH FOR YOUNG CHILDREN.
5. PRESENTATION OF NMB HOME AWARDS.

6. **APPROVAL OF MINUTES:**

NOVEMBER 4, 2008

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

KELVIN L. BAKER

- A. REQUEST APPROVAL OF RFP #2008-14 FOR PROFESSIONAL ENGINEERING SERVICES TO MALCOLM PIRNIE AS THE CITY'S PRIMARY VENDOR WITH HAZEN AND SAWYER AS THE SECONDARY VENDOR FOR VOC (VOLATILE ORGANIC COMPOUNDS) REMOVAL FACILITIES.
- B. REQUEST APPROVAL OF RFP #2008-15 FOR PROFESSIONAL ENGINEERING SERVICES TO METCALF AND EDDY AS THE CITY'S PRIMARY VENDOR WITH HAZEN AND SAWYER AS THE AS THE SECONDARY VENDOR FOR PEAK FLOW ANALYSIS.

AGENDA ITEMS

7. CITY MANAGER'S REPORT - CONTINUED:

C. REQUEST APPROVAL OF ITB #2008-03-23 F FOR COMPLETION OF CONSTRUCTION OF PHASE IV D (N.E. 16TH AVENUE) OF THE HANFORD BOULEVARD IMPROVEMENT PROJECT TO WILLIAMS PAVING COMPANY, INC. IN THE AMOUNT OF \$184,727.08.

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

9. SCHEDULED CITIZENS APPEARANCE:

TO ALL CITIZENS APPEARING UNDER SCHEDULED APPEARANCES:

THE COUNCIL HAS A RULE WHICH DOES NOT ALLOW DISCUSSION ON ANY MATTER WHICH IS BROUGHT UP UNDER CITIZENS APPEARANCES UNLESS IT IS AN EMERGENCY. WE ARE, HOWEVER, VERY HAPPY TO LISTEN TO YOU. THE REASON FOR THIS IS THAT THE COUNCIL MUST HAVE STAFF INPUT AND PRIOR KNOWLEDGE AS TO FACTS AND FIGURES SO THAT THEY CAN INTELLIGENTLY DISCUSS A MATTER. THE COUNCIL MAY WISH TO ASK QUESTIONS REGARDING THIS MATTER BUT WILL NOT BE REQUIRED TO DO SO. AT THE NEXT OR SUBSEQUENT COUNCIL MEETING YOU MAY, IF YOU SO DESIRE, HAVE ONE OF THE COUNCILPERSONS INTRODUCE YOUR MATTER AS HIS OR HER RECOMMENDATION. WE WISH TO THANK YOU FOR TAKING THE TIME TO BRING THIS MATTER TO OUR ATTENTION.

SPEAKING BEFORE THE CITY COUNCIL:

THERE IS A THREE (3) MINUTE TIME LIMIT FOR SPEAKERS/CITIZENS PARTICIPATION AT ALL PUBLIC HEARINGS AS WELL AS SCHEDULED/UNSCHEDULED CITIZENS APPEARANCE(S). YOUR COOPERATION IS APPRECIATED IN OBSERVING THE THREE (3) MINUTE TIME LIMIT POLICY.

IF YOU HAVE A MATTER YOU WOULD LIKE TO DISCUSS WHICH REQUIRES MORE THAN THREE (3) MINUTES, PLEASE FEEL FREE TO ARRANGE A MEETING OR AN APPOINTMENT WITH THE APPROPRIATE ADMINISTRATIVE OR ELECTED OFFICIAL.

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

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

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. MARIE AYRES
1301 N.E. 191 STREET, F308
NORTH MIAMI BEACH, FL.

RE: CITY HEALTH PLAN.

AGENDA ITEMS

9. SCHEDULED CITIZENS APPEARANCE - CONTINUED:

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

RE: ISSUES.

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

RE: CONCERNS.

D. RICHARD RIESS
23 N.W. 169 STREET
NORTH MIAMI BEACH, FL.

RE: BALANCE BUDGET.

10. MISCELLANEOUS ITEMS:

NONE

11. WAIVER OF FEE:

NONE

12. BUSINESS TAX RECEIPT MATTERS: CITY CLERK

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

JOHN GREER, VICE PRESIDENT

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

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).

AGENDA ITEMS

13B. LEGISLATION:

RESOLUTIONS (SERIATIM NO. R2008-55):

RESOLUTION NO. R2008-44

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH MALCOLM PIRNIE, AS THE PRIMARY VENDOR, AND WITH HAZEN & SAWYER, AS THE SECONDARY VENDOR, FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES FOR VOLATILE ORGANIC COMPOUNDS (VOC) REMOVAL FACILITIES; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. R2008-45

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH METCALF AND EDDY, AS THE PRIMARY VENDOR, AND HAZEN & SAWYER, AS THE SECONDARY VENDOR, FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES FOR PEAK FLOW ANALYSIS; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. R2008-52

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 WILLIAMS PAVING CORP., INC., TO COMPLETE THE CONSTRUCTION OF PHASE IV D OF THE HANFORD BOULEVARD IMPROVEMENT PROJECT.

RESOLUTION NO. R2008-53

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENCOURAGING THE GOVERNOR AND THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO ESTABLISH A RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PILOT PROGRAM; ENCOURAGING ALL MUNICIPALITIES IN MIAMI-DADE COUNTY TO ADOPT SIMILAR RESOLUTIONS; AND DIRECTING THE CITY CLERK TO TAKE ALL NECESSARY ACTION TO TRANSMIT THIS RESOLUTION TO THE GOVERNOR AND THE FLORIDA STATE LEGISLATURE; PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RESOLUTION NO. R2008-54

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPOINTING ELLIOT ZACK, ESQUIRE, AS A SPECIAL MASTER/MAGISTRATE TO HEAR APPEALS IN THE CITY'S RED LIGHT ENFORCEMENT PROGRAM PURSUANT TO CHAPTER 72 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED NORTH MIAMI BEACH DANGEROUS INTERSECTION SAFETY ACT.

ORDINANCES - FIRST READING, BY TITLE ONLY (SERIATIM NO. 2008-21):

NONE

AGENDA ITEMS

13B. LEGISLATION - CONTINUED:

ORDINANCES - SECOND AND FINAL READING:

NONE

14. UNSCHEDULED CITIZENS APPEARANCES:

15. CITY COUNCIL COMMITTEE REPORTS:

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

17. ADJOURNMENT:

18. NEXT CITY COUNCIL MEETING:

TUESDAY, DECEMBER 2, 2008