

# MINUTES

OF THE  
REGULAR  
CITY COUNCIL MEETING

**MAY 4, 2010**



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

**MAY 4, 2010 MEETING MINUTES**  
*(CNMB-CC MINUTES TAPE #440)*

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

The meeting was called to order at 7:38 p.m. Present at the meeting were Mayor Myron Rosner, Vice Mayor Phyllis S. Smith, and Council Members Beth E. Spiegel, Philippe Derose, Barbara Kramer, Frantz Pierre, and John Patrick Julien. Also present were City Manager Kelvin L. Baker, City Attorney Darcee S. Siegel, and City Clerk Susan A. Owens.

**2. INVOCATION**

The invocation was given by Rabbi Yehuda Kaploun, Moses Aaron Foundation.

**3. PLEDGE OF ALLEGIANCE**

Mayor Rosner led the City Council in the Pledge of Allegiance.

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

City Clerk Susan Owens announced that Item #6.4 was requested to be pulled from the Consent Agenda, and that Item #14.4 was requested to be deferred.

**5. APPOINTMENTS**

**5.1 Vice Mayor – May 2010 (Councilman Philippe Derose)**

**Motion** made by Vice Mayor Smith, seconded by Councilman Derose, to appoint Councilman Derose as Vice Mayor. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**5.2 Civil Service Board (Councilwoman Spiegel)**

*Jarret Gross*

**Motion** made by Councilwoman Spiegel, seconded by Councilman Pierre, to re-appoint Jarret Gross to the Civil Service Board. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**6. CONSENT AGENDA**

**Motion** made by Councilman Julien, seconded by Councilwoman Kramer, to introduce the Consent Agenda, as amended (Item #6.4 was pulled, see Item #4). In a voice vote, all voted in favor. **(Motion carried 7-0)**

6.1 April 6, 2010 Meeting Minutes

6.2 Resolution No. R2010-33

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUESTING THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY TO DISCONTINUE ITS CURRENT BID FOR DIESEL-ELECTRIC LOCOMOTIVES AND REISSUE A BID REQUIRING ENVIRONMENTALLY FRIENDLY AND ENERGY EFFICIENT RAIL TRANSPORTATION.

6.3 Resolution No. R2010-34

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, RATIFYING AN APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE (JAG) GRANT.

6.4 Resolution No. R2010-35- Item was pulled from Consent Agenda. (See Item #4)

**Motion** made by Councilman Julien, seconded by Councilwoman Kramer, to approve the Consent Agenda, as amended (Item #6.4 was pulled, see Item #4). In a voice vote, all voted in favor. **(Motion carried 7-0)**

## 7. CITY MANAGER'S REPORT – Kelvin L. Baker

7.1 Miscellaneous Updates

*Census.* City Manager Baker reported that the Census participation rate is approaching 70%, and that the Census enumerators are scheduled to begin any day now. Mayor Rosner added that he had met with one of the census enumerators, and that the enumerator explained that it was their job to stop at each house three times and that they are also permitted to get information from neighbors if they can't reach the occupants. The enumerator also told the Mayor that following those three visits, another census crew is sent out if they still have not received any responses.

*Police Services Study.* City Manager Baker reported that the City has spoken with two consultants and is in the process of finalizing a scope of work; and, once that is done, updates will be provided to the City Council.

*Code Enforcement.* City Manager Baker reported that the City is working on a plan to revamp Code Enforcement, and that he hopes to present the plan in June.

*Red Light Cameras.* City Manager Baker stated that the bill is on the Governor's desk, but he has yet to hear if the Governor has signed it. He will report back when he hears more.

*City Dedications and Ribbon-Cuttings.* City Manager Baker thanked everyone for their participation in the most recent ribbon cutting. There are several dedications scheduled, including one for the City's Historical Coral Wall. Staff will be putting up an educational plaque for passersby, and the site will also be placed on the Miami-Dade County list of historical sites.

Councilman Julien asked City Manager Baker about an e-mail he received regarding a person living in Highland Village. City Manager Baker responded that a report will be coming forward in the next day or two, and that he will make it available to each of the Council Members.

**8. CITY ATTORNEY'S REPORT – Darcee S. Siegel**

*Foreclosures for City Liens.* City Attorney Siegel reported that, in addition to the Special Master and the Code Enforcement Board, the City Council can also authorize the City Attorney to foreclose on a lien or to recover money judgment for the amount of the lien plus accrued interest.

*Sovereign Immunity Cap Legislation.* City Attorney Siegel reported that the Governor has signed into law an increase in the Sovereign Immunity Cap to \$200,000 per person/\$300,000 per incident; and, that the increase will become effective October 1, 2011.

**9. MAYOR'S DISCUSSION**

*Marching of the Bands.* Mayor Rosner stated that he enjoyed the digital message signboard ribbon-cutting's Marching of the Bands. He added that the signboard looks great, and that he looks forward to the additional signboards that are forthcoming.

*Veteran's Thank You.* Mayor Rosner announced that he had received a letter from Veteran Louis Luck thanking the Mayor and City employees who had assisted him with framing an Honors Letter and providing him with City pins.

**10. PUBLIC COMMENT**

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

**Charles Loeb**, 16800 NE 15 Avenue, #112, North Miami Beach, FL, spoke regarding the Census, the Gulf oil spill, going green, and the Florida railway system.

**Mirtle Carter-Kazan**, 15564 NE 12 Avenue, North Miami Beach, FL, spoke regarding her fence inspection and employee qualifications.

**Carmen Kienzle**, 1653 NE 178 Street, North Miami Beach, FL, requested consideration for the upcoming Police and Fire Pension Board and Council seat vacancies.

**Kathy Lasseter**, 13363 NE 171 Street, North Miami Beach, FL, spoke regarding the Police Department.

**Elaine McKillof**, 3301 NE 170 Street, North Miami Beach, FL, spoke regarding the police at the Eastern Shores guard gate.

**Mubarak Kazan**, 15564 NE 12 Avenue, North Miami Beach, FL, spoke regarding Ms. Carter-Kazan's previous comments, the Police Department, use of Special Masters, Red Light Cameras, and trimming of palm trees.

**Bruce Lamberto**, 3420 NE 165 Street, North Miami Beach, FL, spoke regarding landscaping and signage, the Eastern Shores guard gate, and the Community Redevelopment Agency.

**Richard Riess**, 23 NW 169 Street, North Miami Beach, FL, spoke regarding listening, truth, and accountability for elected officials, the Disability Tennis Tournament, and Council salaries.

Allison Robie, 2131 NE 179 Street, North Miami Beach, FL, spoke regarding spending and openness in government and the Census.

11. MISCELLANEOUS ITEMS – *None*

12. WAIVER OF FEE – *None*

13. BUSINESS TAX RECEIPTS

13.1 Action Fight League, Inc. d/b/a Ultimate Boxing and Fitness  
Justin Gonzalez, President  
2148 NE 164 Street, North Miami Beach, FL

Applicant is requesting approval of a Business Tax Receipt for a private school. (*Initial Approval*)

The following individual expressed his opinions and concerns:

**Mubarak Kazan**, 15564 NE 12 Avenue, North Miami Beach, FL

**Motion** made by Councilman Pierre, seconded by Councilman Derose, to approve issuance of a Business Tax Receipt for a private school. In a voice vote, all voted in favor. (**Motion carried 7-0**)

13.2 Miami Gymnastics & Dance Academy Corp d/b/a Miami Gymnastics & Dance Academy  
Natalia Pyrig, President  
2281 NE 164 Street, North Miami Beach, FL

Applicant is requesting approval of a Business Tax Receipt for a private school. (*Transfer of Ownership*)

**Motion** made by Councilman Derose, seconded by Councilman Pierre, to approve issuance of a Business Tax Receipt for a private school. In a voice vote, all voted in favor. (**Motion carried 7-0**)

**Note:** At 8:34 p.m., Mayor Rosner passed the gavel to Vice Mayor Smith and excused himself temporarily from the meeting.

14. LEGISLATION

**Motion** made by Councilman Julien, seconded by Councilman Derose, to introduce Resolution No. R2010-30. In a voice vote, with Mayor Rosner absent, all voted in favor. (**Motion carried 6-0-1**)

14.1 Resolution No. R2010-30

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 1,748 SQUARE FOOT ADDITION TO AN EXISTING 64,862 SQUARE FOOT SHOPPING CENTER ON A 4.57 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 24-95 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE ONE (1) ADDITIONAL REQUIRED PARKING SPACE (PREVIOUS VARIANCE WAIVED 39 OF THE 249 REQUIRED PARKING SPACES) WHERE TOTAL OF 256 PARKING SPACES IS REQUIRED AND PROVISION OF 216 SPACES IS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

TRACT "A" OF LESLIE SUBDIVISION, PLAT BOOK 116, PAGE 66; TRACT "A" OF "SANTREE PARK", PLAT BOOK 109, PAGE 15; AND TRACT "A" OF "BELL GROVE TRACT," PLAT BOOK 121, PAGE 37, ACCORDING TO THE PLAT THEREOF, ALL AS RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A/K/A

15901 Biscayne Boulevard  
North Miami Beach, Florida  
(P&Z Item No. 10-477 of April 12, 2010)

The following individual provided testimony to the City Council:

**Javier Font**, Behar Font & Partners, Project Architects, 4533 Ponce de Leon Blvd., Coral Gables, FL

**Note:** At 8:44 p.m., Mayor Rosner returned and Vice Mayor Smith passed the gavel back to Mayor Rosner.

**Motion** made by Councilman Julien, seconded by Councilman Derosé, to approve Resolution No. R2010-30. In a roll call vote, all voted in favor. **(Motion carried 7-0)**

**Motion** made by Councilman Julien, seconded by Councilman Derosé, to introduce Resolution No. R2010-31. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**14.2** Resolution No. R2010-31

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING SITE PLAN APPROVAL, IN ORDER TO RE-OCCUPY AN EXISTING 2,640 SQUARE FOOT NON-CONFORMING BUILDING AND CONSTRUCT A NEW 9,501 SQUARE FOOT ONE-STORY ADDITION ON A 31,326 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 24-54(D)(3) OF THE LAND DEVELOPMENT REGULATIONS TO WAIVE TEN (10) FEET OF THE MINIMUM REQUIRED INTERIOR (NORTH) SIDE YARD SETBACK OF 15 (FIFTEEN) FEET, WHERE INTERIOR SIDE YARD SETBACK OF FIVE (5) FEET IS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

(LENGTHY LEGAL - SEE ATTACHED EXHIBIT "A")

A/K/A

15501 N.E. 21 Avenue  
North Miami Beach, Florida

(P&Z Item No, 09-458 of December 14, 2009)

The following individual provided testimony to the City Council:

**Larry Simon**, Architect for Applicant, 1773 NE 162 Street, North Miami Beach, FL.

**Motion** made by Councilman Julien, seconded by Councilman Derose, to approve Resolution No. R2010-31. In a roll call vote, Councilwoman Spiegel, Councilman Derose, and Councilman Pierre voted yes; and, Mayor Rosner, Vice Mayor Smith, Councilman Julien, and Councilwoman Kramer voted no. **(Motion failed 3-4)**

**Motion** made by Councilman Julien, seconded by Councilman Pierre, to introduce Resolution No. R2010-32. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**14.3** Resolution No. R2010-32

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING SITE PLAN MODIFICATION APPROVAL, IN ORDER TO OPERATE A 4,717 SQUARE FOOT DAY CARE FACILITY WITH OUTDOOR PLAY AREA AT AN EXISTING 259,193 SQUARE FOOT SHOPPING MALL ON A 1,168,931 SQUARE FOOT PARCEL OF LAND, AS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

(LENGTHY LEGAL - SEE ATTACHED EXHIBIT "A")

A/K/A

3501 N.E. 163 Street

North Miami Beach, Florida

(P&Z Item No, 10-471 of April 12, 2010)

*JENNINGS DISCLAIMER(S)*

Councilman Julien, Councilman Derose, Councilwoman Kramer, and Councilman Pierre all disclosed that they had spoken with the owners of the shopping center on this subject.

**Motion** made by Councilman Julien, seconded by Vice Mayor Smith, to approve Resolution No. R2010-32.

The following individual provided testimony to the City Council:

**Matthew Amster**, Bercow, Radell & Fernandez, Representative of Applicant, 200 S. Biscayne Boulevard, Miami, FL

**Motion** made by Vice Mayor Smith, seconded by Councilman Julien, to amend Resolution No. R2010-32 by adding the following stipulation:

1. A sidewalk shall be constructed along the north side of the 35 Avenue entrance to the mall, connecting the sidewalk along the east side of NE 35 Avenue with the sidewalk that runs along the south side of the existing 7,541 square foot retail building. In addition, the handicap parking spaces to the immediate east of said retail building shall be reconfigured to be fully ADA compliant.

In a voice vote, all voted in favor. **(Motion carried 7-0)**

**Motion** made by Vice Mayor Smith, seconded by Councilman Pierre, to approve Resolution No. R2010-32, as amended. In a roll call vote, all voted in favor. **(Motion carried 7-0)**

**14.4** Ordinance No. 2010-10 (First Reading, By Title Only)- Item was deferred. (See Item #4)

**Motion** made by Councilman Pierre, seconded by Councilman Derose, to introduce Ordinance No. 2010-7 on Second and Final Reading. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**14.5** Ordinance No. 2010-7 (Second and Final Reading)

AN ORDINANCE AMENDING CHAPTER XII OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED BUSINESS TAX RECEIPTS AND REGULATIONS, AND IN PARTICULAR SECTION 12-1.10 (TRANSFER OF BUSINESS TAX RECEIPTS); SECTION 12-1.14 (COMPLIANCE WITH ZONING, BUILDING AND FIRE REGULATIONS); SECTION 12-1.15 (PAYMENT OF FEES PREREQUISITE TO ENGAGING IN BUSINESS); SECTION 12-1.18 (COLLECTION OF COST FEES); SECTION 12-1.21 (OUTDOOR SALES BY MERCHANTS); SECTION 12-2.2 (PERMITTED DAYS AND HOURS OF SALE - SUNDAY RESTRICTIONS; HOTELS AND NIGHTCLUBS); 12-10.9 (ISSUANCE AND DURATION OF BUSINESS TAX RECEIPTS); SECTION 12-12.6 (NONPAYMENT OF BUSINESS TAX; SEIZURE; CHARGES; REDEMPTION; SALE; PROCEEDS) AND 12-31 (SCHEDULE OF FEES FOR BUSINESS TAX RECEIPTS) BY PROVIDING FOR AN INCREASE IN FEES IN ACCORDANCE WITH FLORIDA STATUTES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

The following individual expressed his opinions and concerns:

**Mubarak Kazan**, 15564 NE 12 Avenue, North Miami Beach, FL

**Motion** made by Vice Mayor Smith, seconded by Councilman Derose, to adopt Ordinance No. 2010-7 on Second and Final Reading. In a roll call vote, Mayor Rosner, Vice Mayor Smith, Councilman Julien, Councilman Derose, and Councilwoman Kramer voted yes; and, Councilwoman Spiegel and Councilman Pierre voted no. **(Motion carried 5-2)**

**Motion** made by Councilman Derose, seconded by Councilman Julien, to introduce Ordinance No. 2010-8 on Second and Final Reading. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**14.6** Ordinance No. 2010-8 (Second and Final Reading)

AN ORDINANCE AMENDING CHAPTER XII OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENTITLED LOCAL BUSINESS TAX RECEIPT AND REGULATIONS AND IN PARTICULAR SECTIONS 12-1.3 ENTITLED APPLICATION: INFORMATION REQUIRED; 12-10.5 ENTITLED APPLICATION (SOLICITATION FOR CHARITIES); AND 12-10.8 ENTITLED APPLICATION: INFORMATION (BUSINESS TAX RECEIPT TO PROMOTE FAIRS, BAZAARS, ETC., OR CONDUCT RUMMAGE SALE-REQUIRED); INCREASING THE APPLICATION PROCESSING FEE AND THE ANNUAL ADMINISTRATIVE PROCESSING FEE; AMENDING THE PERSONAL INFORMATION REQUESTED ON BUSINESS TAX RECEIPT APPLICATIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE

DATE,

**Motion** made by Councilman Julien, seconded by Vice Mayor Smith, to adopt Ordinance No. 2010-8 on Second and Final Reading. In a roll call vote, all voted in favor. **(Motion carried 7-0)**

**Motion** made by Councilman Julien, seconded by Councilman Derose, to introduce Ordinance No. 2010-9 on Second and Final Reading. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**14.7** Ordinance No. 2010-9 (Second and Final Reading)

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED BUILDING AND HOUSING, AND IN PARTICULAR SECTIONS 14-8.13 (CODE ENFORCEMENT BOARD; ORGANIZATION); 14-8.15 (CONDUCT OF HEARING); 14-8.16 (POWERS OF THE CODE ENFORCEMENT BOARD); 14-8.17 ADMINISTRATIVE FINES; COSTS OF REPAIRS; LIENS); AND 14-8.19 (APPEALS) BY GIVING SPECIAL MAGISTRATE(S) THE SAME STATUS AS A CODE ENFORCEMENT BOARD PURSUANT TO FLORIDA STATUTE CHAPTER 162; PROVIDING FOR AN ADMINISTRATIVE CHARGE BY SPECIAL MAGISTRATE(S) TO COVER THE CITY'S COSTS OF THE PROCEEDING; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

The following individual expressed his opinions and concerns:

**Mubarak Kazan**, 15564 NE 12 Avenue, North Miami Beach, FL

**Motion** made by Councilman Julien, seconded by Vice Mayor Smith, to adopt Ordinance No. 2010-9 on Second and Final Reading. In a roll call vote, all voted in favor. **(Motion carried 7-0)**

**Motion** made by Councilman Julien, seconded by Councilman Derose, to introduce Resolution No. R2010-35. In a voice vote, all voted in favor. **(Motion carried 7-0)**

**6.4** Resolution No. R2010-35 (This item was pulled from Consent Agenda, See Item #4)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REQUESTING AND URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION RENDERING INVALID AND OF NO LEGAL FORCE AND EFFECT ANY DEED RESTRICTIONS AND/OR CONDOMINIUM RULES PROHIBITING PERSONAL RESIDENCES FROM BEING USED FOR OCCUPATIONAL PURPOSES WHERE LOCAL LAW OTHERWISE PERMITS SUCH USE.

**Motion** made by Councilman Derose, seconded by Councilman Julien, to approve Resolution No. R2010-35. In a voice vote, Mayor Rosner, Vice Mayor Smith, Councilman Julien, Councilman Derose, Councilwoman Kramer, and Councilman Pierre voted yes; and, Councilwoman Spiegel voted no. **(Motion carried 6-1)**

## 16. CITY COUNCIL COMMITTEE REPORTS

### VICE MAYOR SMITH

**Ribbon-cutting.** I just want to again thank the Manager for the ribbon-cutting. I thought it was extraordinary. For those that missed it, we had all the bands in the community competing against each other from the local high schools. And, as the Manager pointed out afterwards, many of those young boys and girls will ride by ten years from now, fifteen years from now and say I was there when they installed that sign. I hope that our public will constantly look at it and see what's going on in the City and not miss another event.

**Crimewatch.** The Crimewatch, there were over -- probably about two hundred people, I understand. I wasn't there that long. We had just gotten back from Tallahassee and my grandchild was in town, so I was there for a few minutes. The few minutes that I was there in Eastern Shores, it was a very involved community that had a lot of opinions, but out of it, we probably got a dozen people that wanted to be involved in Crimewatch and hopefully that will grow. I have asked Tom Carney to give me a list of what's involved because there are other communities and perhaps Mr. Kazan and his community would like to get started, but there are other people in Washington Park that have come forth, and in Uleta, and the way to do it is to start with maybe a handful of people and let them start to make a flyer and set a date and have a place to begin it and get in touch with the City. Get our North Miami Beach Police involved and go door-to-door, tell them what it is, get a telephone number and a name, and perhaps an e-mail, and I think that everybody that's listening to this, they should try to find somebody in their community and let's help each other. As the man said in New York that saw the car and notified the police right away, he said, "If you see it, say it." So, I think we have to help each other and whoever has an interest in that, please get in touch with Tom Carney, if I can give that information.

**Tallahassee Trip.** I just want to say that our trip to Tallahassee, I know Mr. Kazan always wants a report, what did you do, what did you learn -- which was unbelievable. I was very proud. Our Attorney and our Manager were at a meeting with me and the questions they asked were just, to put our City at the front of everything, was unbelievable.

**County Commissioners.** Sally Heyman has been a very big supporter of this City, not only in her time and she's at everything and she always has money for us out of her contingency fund, and by the way, we wish her a speedy recovery, she had surgery on her ankle last week, but Commissioner Rolle who is also a Commissioner for North Miami Beach, I ran into him so many times, I think I ended up being the thorn in his side and I am looking to him. As I said to him, just write me a little note on the check that you send to North Miami Beach, I wish it could be larger. So our Manager, I've given him the direction of staying in touch with Commissioner Rolle and he will be doing that on a regular basis and, hopefully, he too, will come into North Miami Beach as Sally has always done all these years.

**Senior Celebration.** There is a senior celebration this Friday. The County has a grant. I thank Roz for really just taking the reins on this and making it something special along with Kathy Katerman and a lot of people in our City, Naomi from the Recreation Department. I just want everybody to know this is a free luncheon Friday at 11:00 a.m. Unfortunately, I'll be out of town, but it is going to be a celebration. The primary purpose is to educate people that may have friends or may be involved themselves in violence against seniors. But there's going to be booths, there's going to be music, there's going to be

giveaways, lots of giveaways, and that is free, Friday at 11:00 a.m. And, that's right here at North Miami Beach in the McDonald Center and you just come to North Miami Beach City Hall and they'll point you where the McDonald Center is and what room it's in.

**Bangladesh Festival.** I also want to quickly mention that I went to the Bangladesh Festival and I have to tell you something. We're always saying how we're trying to help all those that aren't as fortunate. We really thank, tonight when we gave a plaque to Mr. Lunger for all the work he did for Haiti, well, there was a booth about Bangladesh that thirty-something percent of the women there are still having the births at home with a lot of defects and a lot of babies not making it and for seventeen dollars, seventeen dollars as a donation, you can have the baby be, that will support having a baby delivered in a hospital. So, if anybody would like to do that, I'm sure if you get a hold of Mr. Kahn at 305-562-3591 or Mr. Zaman at 305-926-9472, they would really appreciate the fact that you'd want to support somebody and the health and well-being of a mother and a baby.

**Mother's Day Breakfast.** The other thing I'd like to say is they are having a very big festival for Mother's Day. Perhaps Councilman Julien will mention it again. Councilwoman Smith started it, may she rest in peace. And it's going to be an absolutely wonderful luncheon. Be sure to wear a hat. And that is on Saturday. It's a breakfast at 9:00 a.m., Saturday. Again, right here at the McDonald Center. I won't be here, but I'm sure everybody's going to have a wonderful day. I wish everybody a Happy Mother's Day.

**Happy Birthday.** To my beautiful daughter that they made only one and threw away the mold, that's how special she is, Happy Birthday.

**Therapy Dog of the Year.** Congratulations to my daughter's dog, Sweet Pea, who was named therapy dog of the year from the Veterinarians' Association of South Florida, and they didn't even know her. So, she is a little star for sure.

## COUNCILWOMAN SPIEGEL

**Bucky Singer.** Mr. Bucky Singer was one of the first people that spoke tonight and he gave us a plaque, but I think this community owes him a great deal of gratitude and, on behalf of all of us sitting up here, if you're listening Mr. Singer, I want to thank you again for all you've done for the City and for the youth, the people who participated in your program.

**Battle of the Bands.** The way-finding sign, the Battle of the Bands, was phenomenal as everybody will say, but I want to send out a congratulations to all of those band members and their parents. What wonderful young men and women, what great skill, musical talent.

**Mother's Day Breakfast.** The Mother's Day breakfast is really Mr. Julien's to say. I just want to tell you that you're going to see some of us in hats because City staff has gotten to some of us who are going be serving and gotten us to pledge that we will wear hats. So, if for nothing else, come up and watch us while we're serving wearing hats.

**Happy Holidays.** I want to wish a Happy Mother's Day to all of the mothers in North Miami Beach, and especially to my mother.

**Happy Birthday.** Happy Birthday to my brother in Arizona who actually watches us at times.

**Thank You.** I want to thank Norman Edwards. I gave him a challenge to give me a succinct list of his issues and he did that and having spent three and a half hours reading the same document, I thank him for his work.

**Good Wishes.** I want to send my get well wishes also to Commissioner Heyman.

## COUNCILMAN JULIEN

**Bangladesh Festival.** I would like to wish my brothers and sisters at the First Baptist Church of North Miami Beach, who are from Bangladesh, a Happy Bangla New Year. I, too, was at the Bangladesh New Year's Festival and got to meet one of their Council Members and it was very good. A very, very, very energetic event and I had a tremendous amount of time.

**Youth Symposium.** I would like to say that the Ladies of the Commission on the Status of Women, we were able to pull off our Third Annual Youth Symposium and hopefully, it will not be the last Annual Youth Symposium. This year, due to budgetary cuts, yours truly had to provide lunch for about sixty youth from our community, but it was well worth it because anytime that you can do intervention with young kids who are at risk of being involved in gangs, and just are in need of a little bit of guidance, where you're able to bring some professionals in, this year we had a gentleman from, a former BSO Deputy Sheriff, who was our keynote speaker, and a couple of other leadership speakers that were there, and just to be able to save one child is worth anything that you're able to do.

**Youth Intervention.** I would also like to take this opportunity to thank you, Mr. Manager, because I went through you to get, and you went to the Chief, who gave us Officer Philome. We brought in two young men on Friday, and I don't know what they did to them at the police station, but I can guarantee you that when they came out, their mothers were very, very pleased. So, Chief, I thank you tremendously for helping us touch the lives of two young men who hopefully are not going to go down the path that they were going down before.

**Thank You.** Since I'm speaking about the Chief, I think a couple of us received a letter congratulating the Chief of Police in the way that he handled a very touchy situation on 19th Court and 163rd Street by the Burger King. And Chief, I'm aware of all of the situation, but I'll just say thank you. The gentleman who was watching you actually came out and spoke to you to let you know that he was sitting at the Burger King having lunch and watching you at work and when it was all said and done he felt the need to come out and just let you know and then let us know what a great job that you did. So, on behalf of the community, I thank you for the way that you handled that situation.

**Mother's Day Breakfast.** As Councilwoman Smith stated, we will be having our Annual Councilwoman Jacquelyn H. Smith Mother's Day Breakfast. This is an event that she started off paying for on her own and then the City took it over and it has mushroomed into something that is fabulous. This will be my last year officiating it as an elected official and a Council liaison to the Commission on the Status of Women, and I'm sure that it will not be the last year that we have this Mother's Day Breakfast as well. The hats that we are referring to, we have a local hat maker who is lending us hats and that's why the ladies have to be fitted. And I'm still working on getting more women to, we have fifteen, and we need fifteen women. So, if anybody wants to volunteer to model

hats for us on Saturday from 9:00 a.m. to 12:00 p.m., just give us a call at the office tomorrow 305-948-2986 and say that you would like to volunteer to model a hat for us and I look forward to seeing you just this one last time for Mother's Day and serving the mothers of our community.

## **COUNCILMAN DEROSE**

***Ribbon-cutting.*** I also was very pleased to be part of the ribbon-cutting last Friday. It was a very nice event and I want to seize this moment to thank our staff, Public Works, Beautification, for the job well done. If anyone drives on 19th Avenue, you will see it's a big difference; 19th Avenue looks much, much better, more than ever before. We planted nice trees and also the message board looks very beautiful and enhances the area. The money was well spent and I'm very, very pleased with the new look.

***Recent Immigration Law.*** As an immigrant who came to this country, and for a period of time lived illegally, and later on became a U.S. citizen, now serving as an elected official to the City of North Miami Beach, I feel it compelling to say a few words in reference to the new immigration law in the State of Arizona. Personally, I believe this law unnecessary, inappropriate, and to some degree it will violate the rights of the citizens and does really not reflect the principles of this country, America, we believe liberty and justice for all. To me it's almost impossible to enforce this law without racial profiling. So, therefore, I'm asking all the immigrants who have a son and daughter to stand up to fight this law.

***Happy Holidays.*** Happy Mother's Day to everyone.

## **COUNCILWOMAN KRAMER**

***Ribbon-cutting.*** I, too, want to thank our staff. There was amazing efforts coordinated last Friday for the ribbon-cutting, from the IT department to the Community Redevelopment Agency, the Leisure Services Department, and just all the staff really worked very well together. It was a lot of fun, a great idea. Allison's son was in the band. Unfortunately, I didn't know, otherwise I would have focused on him the whole time, but all the kids were great and they really had a lot of energy and it's a wonderful program to be in the band and you could see the originality and the way things have changed, at least since I've been in high school. I'm kind of ready to go back and be in a band.

***Good Wishes.*** I also would like to wish Commissioner Heyman a speedy recovery. I happened to run into her last night and she looked amazing and working like a dog as usual, going to every event and every meeting she needs to be at. She's really a woman to look up to in all her efforts.

***Happy Holidays.*** I want to wish everyone, of course, a Happy Mother's Day. I look forward to seeing everybody from the community come out on Saturday.

***Council Anniversary.*** And Councilwoman Spiegel, do you know what tomorrow is? We could wish each other a happy anniversary. Tomorrow is one year that Councilwoman Spiegel and I were elected to serve the great citizens of North Miami Beach and I just want to say it's been a pleasure serving everyone. I'm always here. You always know where to reach me, and it's been a great experience and I look forward to the following year to come.

## COUNCILMAN PIERRE

*Happy Holidays.* Happy Mother's Day to all the mothers in our community. It has more special meaning for me when I go back twenty-five, twenty-six, maybe twenty-seven years ago when I lost my mom on Mother's Day. Happy Mother's Day.

*Mother's Day Breakfast.* On that same note, Saturday, Mother's Day Breakfast, please come, show up. I'll be delighted to serve you mothers; it's my pleasure. I'll be wearing my hat too.

*Library Room Dedication.* I would like to remind the City that we'll be dedicating the conference room in the library in loving memory of former Councilwoman Jackie Smith. I think she will remain a monument in our City.

*Thank You.* Chief, once again, good job. I would like to recall the sentiment of Councilman Julien. Actually, the sentiment of the Haitian community. I had some very good words regarding the way you handled it, a specific situation, and that was the talk of the town in case you didn't know. So, they say, we have a good Police Department in North Miami Beach and thanks to the Chief and those who you represent. Tell them keep up the good work. They are very professional and we're proud of every single one of them.

*Commissioner Heyman.* And, speedy recovery to our favorite Commissioner, Commissioner Heyman; and, we hope to see you as soon as possible up and running so we can play ball.

*Census.* Remember, Census 2010 is not over. If you have not filled out the form, fill it out today and put it in the mail, otherwise, we will be knocking on your doors.

## MAYOR ROSNER

*Happy Holidays.* Happy Mother's Day to everybody. Happy Mother's Day, mom.

*Tallahassee Trip.* Tallahassee was a great trip and we had a great contingency of our members here at the City, together with our Manager, our Attorney and my colleagues showing up in force, talking with our lobbyist, meeting with the representatives. Really, it was great. I mean, we, you know, it's right in the middle of the session. We were already discussing working on items for next year, not necessarily for this year because by the time we get there in Dade Days, a lot of people have already gotten money for this year. A lot of commitments are already in place, including us. But we're already on the track for next year, so it was great for my colleagues and myself and our staff to have been there to be lobbying for our City for next year and I'm sure it will help your budget for next year Mr. Manager.

17. **NEXT REGULAR CITY COUNCIL MEETING** – Mayor Rosner announced that the next Regular City Council meeting will be Tuesday, May 18, 2010.
18. **ADJOURNMENT** – There being no further business to come before the City Council of the City of North Miami Beach, the Regular Meeting of the City Council of the City of North Miami Beach was adjourned at 10:28 p.m. on a motion by Councilman Derose and seconded by Vice Mayor Smith. In a voice vote, all voted in favor. (**Motion carried 7-0**)

**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 THIRTEEN (13) INCLUSIVE, TO BE THE OFFICIAL RECORD OF THE CITY COUNCIL PROCEEDINGS AS RECORDED AT THE REGULAR CITY COUNCIL MEETING OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, HELD ON THE 4<sup>TH</sup> DAY OF MAY, 2010.

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

(S E A L)