

* * * * *

MINUTES

* * * * *

1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	RAYMOND F. MARIN, PRESIDING
VICE MAYOR	PHILIPPE DEROSE
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	JAY R. CHERNOFF
COUNCILMAN	FRANTZ PIERRE
COUNCILMAN	JOHN PATRICK JULIEN
COUNCILMAN	MYRON ROSNER

CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SOLOMON ODENZ

2. INVOCATION: REVEREND MARTA BURKE
FULFORD UNITED METHODIST CHURCH.

3. SALUTE TO THE AMERICAN FLAG.

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

ADDITION – ITEM #7(C) CITY MANAGER’S REPORT –
NEW CITY CLERK NEGOTIATIONS

WITHDRAWALS – ITEM #5(B) – PRESENTATIONS –
FLORIDA ASSOCIATION OF CITY CLERKS

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS:

1. GABRIELA COTERON – YOUTH ADVISORY BOARD.
2. TARIQ DARWISH – YOUTH ADVISORY BOARD.
3. BRIANA HAWRYLUK – YOUTH ADVISORY BOARD.

MOTION by COUNCILMAN ROSNER, seconded by COUNCILWOMAN SMITH to APPOINT GABRIELA COTERON, TARIQ DARWISH, and BRIANA HAWRYLUK to the YOUTH ADVISORY COMMITTEE. MOTION CARRIED.

B. PRESENTATIONS:

1. SWEARING IN OF NEW ASSISTANT CITY ATTORNEY ORLANDO DeLUCA.

SWEARING IN OF THE NEW ASSISTANT CITY ATTORNEY ORLANDO DeLUCA WAS DONE BY MAYOR MARIN.

2. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY COUNCILMAN FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO JOSEPH SOUFFRANCE AS THE EMPLOYEE OF THE MONTH FOR APRIL 2009.

PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD WAS MADE BY COUNCILMAN FRANTZ PIERRE AND CITY MANAGER KELVIN L. BAKER TO JOSEPH SOUFFRANCE.

3. PRESENTATION OF THE MARCH C.A.R.E. SUGGESTION AWARD BY COUNCILWOMAN SMITH AND KELVIN L. BAKER, CITY MANAGER, TO JIM WICKETT FOR HIS SUGGESTION TO ELIMINATE THE EMPLOYEE UNIFORM RENTAL CONTRACT AND IMPLEMENT AN ANNUAL EMPLOYEE UNIFORM ALLOWANCE.

PRESENTATION WAS MADE BY COUNCILWOMAN SMITH AND CITY MANAGER KELVIN L. BAKER TO JIM WICKETT.

4. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN PROCLAIMING APRIL 13-19, 2009 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

PRESENTATION OF PROCLAMATION WAS MADE BY MAYOR MARIN TO CHIEF RAPHAEL HERNANDEZ.

5. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN PROCLAIMING APRIL 21, 2009 AS WRANDY BUENO DAY.

PRESENTATION OF PROCLAMATION WAS MADE BY MAYOR MARIN TO THE REPRESENTATIVE OF WRANDY BUENO.

6. PRESENTATION OF PROCLAMATION BY VICE MAYOR PHILIPPE DEROSE PROCLAIMING APRIL 21, 2009 AS WILBUR JEAN-BAPTISTE DAY.

PRESENTATION OF PROCLAMATION WAS MADE BY VICE MAYOR DEROSE TO WILBUR JEAN-BAPTISTE.

7. PRESENTATION OF PROCLAMATION BY COUNCILMAN ROSNER PROCLAIMING APRIL 21, 2009 AS CAYARD BAKERY DAY.

PRESENTATION OF PROCLAMATION WAS MADE BY COUNCILMAN ROSNER AND COUNCILMAN JULIEN TO CAYARD BAKERY.

8. PRESENTATION BY CANDIA WILLIAMS OF THE CENTER FOR FAMILY AND CHILD ENRICHMENT ON FOSTER AND ADOPTIVE SERVICES.

PRESENTATION WAS MADE BY CANDIA WILLIAMS.

9. FLORIDA ASSOCIATION OF CITY CLERKS SPECIAL PRESENTATION BY BARBARA ESTEP, VILLAGE CLERK, CMC, VILLAGE OF MIAMI SHORES, FACC SOUTHEAST DIRECTOR, TO CITY CLERK SOLOMON ODENZ, CMC.

(WITHDRAWN)

AT THIS TIME, MAYOR MARIN RECOGNIZED NORTH MIAMI BEACH CANDIDATES KENNETH DeFILLIPO, JENNIE TORRES-LEWIS, BARBARA KRAMER, AND BETH SPIEGEL, AND U.S. CONGRESSIONAL CANDIDATE MARLENE BASTIENNE.

MOTION by COUNCILMAN CHERNOFF, seconded by MAYOR MARIN TO GO OUT OF THE REGULAR ORDER OF BUSINESS. MOTION CARRIED.

RESOLUTION NO. R2009-26, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, NAMING THE CITY'S CASHIERS' OFFICE IN LOVING MEMORY OF ANITA EDELMAN", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by MAYOR MARIN. MOTION CARRIED

MOTION by COUNCILMAN CHERNOFF, seconded by VICE MAYOR DEROSE, to ADOPT RESOLUTION NO. R2009-26. MOTION CARRIED.

PRESENTATION OF A PLAQUE WAS MADE BY COUNCILMAN CHERNOFF TO THE EDELMAN FAMILY.

RESOLUTION NO. R2009-29, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, URGING PRESIDENT OBAMA TO GRANT TEMPORARY PROTECTIVE STATUS TO HAITIANS IN THE UNITED STATES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS AS STATED HEREIN", was introduced by MOTION OF COUNCILMAN ROSNER, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by VICE MAYOR DEROSE, seconded by COUNCILWOMAN SMITH, to ADOPT RESOLUTION NO. R2009-29. MOTION CARRIED.

MOTION by COUNCILMAN ROSNER, seconded by MAYOR MARIN TO GO BACK TO THE REGULAR ORDER OF BUSINESS. MOTION CARRIED.

6. APPROVAL OF MINUTES OF APRIL 7, 2009.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER to CORRECT THE MINUTES BY ADDING ON PAGE 16 SECTION E THAT "THEREAFTER, COUNCIL INSTRUCTED THE MANAGER TO ENFORCE THE CURRENT SIGNAGE POLICY" AND ON PAGE 18 SECTION E(2) TO CLARIFY COUNCILMAN JULIEN'S REPORT.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to APPROVE THE MINUTES OF APRIL 7, 2009, AS AMENDED. MOTION CARRIED.

7. **CITY MANAGER'S REPORT - KELVIN L. BAKER:**

A. MISCELLANEOUS ITEMS.

THE CITY MANAGER BRIEFLY UPDATED THE COUNCIL ON VARIOUS ITEMS.

(CNMB-CC MINUTES TAPE #418)

B. VICTORY POOL SLIDE.

THE CITY MANAGER STATED THAT THE NEW SLIDE SHOULD BE HERE THE 1ST WEEK OF JUNE JUST IN TIME FOR THE KIDS TO USE DURING THE SUMMER AND THE CANOPY SHOULD BE HERE BY MAY 20TH.

(CNMB-CC MINUTES TAPE #418)

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

- A. CITY ATTORNEY DARCEE S. SIEGEL WELCOMED THE NEW ASSISTANT CITY ATTORNEY ORLANDO DeLUCA AND INDICATED THAT SHE KNOWS HE WILL ADD GREATNESS TO THEIR OFFICE. THE CITY ATTORNEY ALSO MENTIONED THAT THEY HAVE 10 NEW MORTGAGE FORECLOSURE CASES. THE CITY ATTORNEY INDICATED THAT ON THE TWO ORDINANCES THE COUNCIL HAD PREVIOUSLY DISCUSSED ON DISTRESSED PROPERTIES AND SIDEWALK SITUATIONS ARE BACK ON THE DRAWING BOARD AND SOMETHING SHOULD COME BEFORE THE COUNCIL SOON.

(CNMB-CC MINUTES TAPE #418)

AT THIS TIME, A MOTION WAS MADE BY MAYOR MARIN, SECONDED BY COUNCILWOMAN SMITH TO INSTRUCT THE CITY ATTORNEY TO SIT WITH THE CITY CLERK APPLICANTS, THE FIRST AND SECOND CANDIDATES, TO DEVELOP A COMPENSATION PACKAGE.

WITH COUNCILMAN CHERNOFF VOTING IN THE NEGATIVE. MOTION CARRIED,

9. SCHEDULED CITIZENS APPEARANCE:

A. CHARLES LOEB
16800 N.E. 15 AVENUE #112
NORTH MIAMI BEACH, FL.

RE: FUTURAMA NOW.

B. MURIEL KEMP
1479 N.E. 178 STREET
NORTH MIAMI BEACH, FL.

RE: THE TRUTH SHALL SET YOU FREE, HEALTH INSURANCE AND LIFETIME
BENEFITS AMENDMENT NO. 6.

C. ROBERT TAYLOR
1951 N.E. 157 TERRACE
NORTH MIAMI BEACH FL

RE: GREAT CITY.

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

MS. ROBIE GAVE HER 3 MINUTES
TO MR. MUBARAK KAZAN.

RE: ISSUES.

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

RE: ELECTED OFFICIALS MUST BE RESPECTFUL OF RESIDENTS AND THEIR
CONCERNS.

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

RE: ETHICS II.

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.

THE CITY CLERK ADMINISTERED THE OATH

13B. **LEGISLATION:**

RESOLUTIONS (SERIATIM NO. R2009-31):

RESOLUTION NO. R2009-26, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, NAMING THE CITY'S CASHIERS' OFFICE IN LOVING MEMORY OF ANITA EDELMAN

SEE PAGE 3.

RESOLUTION NO. R2009-27, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING CONDITIONAL USE APPROVAL FROM SECTION 24-52(C)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, IN ORDER TO ENLARGE AN EXISTING PACKAGE LIQUOR STORE, AS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

Tract "A", Arena Shops, Plat Book 166, Page 32 of the Public Records of Miami-Dade County, Florida

A/K/A
14750 Biscayne Boulevard
North Miami Beach, Florida

(P&Z ITEM NO. 09-444 OF APRIL 6, 2009)" was introduced by MOTION of COUNCILMAN
CHERNOFF, seconded by COUNCILMAN JULIEN. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to AMEND
RESOLUTION NO. R2009-27 BY CHANGING CONDITION NO. 7 TO INCLUDE THAT SHOPPING
CARTS CAN NOT BE KEPT ON THE SIDE WALK. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by MAYOR MARIN, to ADOPT RESOLUTION
NO. R2009-27 AS AMENDED. MOTION CARRIED.

Name of Party (ies) Appearing:

1. Mubarak Kazan
15564 NE 12 Avenue
North Miami Beach, FL
2. Bruce Lamberto
3420 NE 165 Street
North Miami Beach, FL

RESOLUTION NO. R2009-28, entitled "A RESOLUTION OF THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING AND
DIRECTING THE CITY MANAGER, PURSUANT TO CITY POLICIES, STATE AND
FEDERAL LAW, TO DONATE SURPLUS SUPPLIES AND EQUIPMENT TO THE
IMPOVERISHED NATION OF HAITI; DESIGNATING EQUIPMENT AS SURPLUS AND
EARMARKING FOR DONATION TO HAITI" was introduced by MOTION of
COUNCILMAN CHERNOFF, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by COUNCILMAN JULIEN, seconded by COUNCILMAN ROSNER, to TABLE
RESOLUTION NO. R2009-28. MOTION CARRIED.
WITH COUNCILMAN CHERNOFF AND MAYOR MARIN VOTING IN THE NEGATIVE.

RESOLUTION NO. R2009-29, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, URGING PRESIDENT OBAMA TO GRANT TEMPORARY PROTECTIVE STATUS TO HAITIANS IN THE UNITED STATES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS AS STATED HEREIN.

SEE PAGE 4.

RESOLUTION NO. R2009-30, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, PROMOTING AMERICAN WITH DISABILITIES ACT ("ADA") AWARENESS; ENDORSING RELEVANT AND EFFECTIVE CRITERIA FOR RENEWAL OF ADA PARKING PERMITS, AND SUPPORTING STRICT SCRUTINY AND MONITORING OF HANDICAP ACCESSIBILITY PROGRAM IMPLEMENTATION; DECLARING THE THIRD WEEK OF JULY ADA AWARENESS WEEK" was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by MAYOR MARIN. MOTION CARRIED.

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN CHERNOFF, to ADOPT RESOLUTION NO. R2009-30. MOTION CARRIED.

ORDINANCES - FIRST READING, BY TITLE ONLY:
(SERIATIM NO. 2009-12)

ORDINANCE NO. 2009-11, entitled "AN ORDINANCE AMENDING SECTION 2-32.4 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REVISING THE PROCEDURE FOR REMOVING BOARD AND/OR COMMISSION MEMBERS FOR FAILURE TO ATTEND MEETINGS; 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 VICE MAYOR DEROSE, ON ITS FIRST READING, BY TITLE ONLY.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to ADOPT ORDINANCE NO. 2009-11 ON ITS FIRST READING, BY TITLE ONLY. MOTION CARRIED.

Name of Party (ies) Appearing:

1. Mubarak Kazan
15564 NE 12 Avenue
North Miami Beach, FL

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2009-9, entitled "AN ORDINANCE AMENDING SECTION 2-49, ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA TO PROVIDE FOR THE REMOVAL OF BOARD MEMBERS FOR FAILURE TO ATTEND MEETINGS", was introduced BY MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH ON ITS SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILWOMAN SMITH, to ADOPT ORDINANCE NO. 2009-9 ON ITS SECOND AND FINAL READING. MOTION CARRIED.

Name of Party (ies) Appearing:

1. Charles Loeb
16800 NE 15 Avenue
North Miami Beach, FL

14. UNSCHEDULED CITIZENS APPEARANCES:

- A. MUBARAK KAZAN
15564 NE 12 AVENUE
NORTH MIAMI BEACH, FL

RE: SURPLUS VEHICLES.
- B. ROSA HERNANDEZ
16901 NE 20 AVENUE
NORTH MIAMI BEACH, FL

RE: SUPPORT OF MAYOR AND COUNCIL AND PETTY ISSUES.

- C. BRUCE LAMBERTO
3420 NE 165 STREET
NORTH MIAMI BEACH, FL

RE: HEALTH BENEFITS, AMBULANCE IN EASTERN SHORES, SURPLUS
VEHICLES, ADA ISSUES.

- D. TERRANCE SVOLTY
2100 NE 183 STREET
NORTH MIAMI BEACH, FL

RE: SAFETY IN NMB, AMBULANCE SERVICE, SUPPORT YOUR POLICE
DEPARTMENT VISIBILITY.

- E. HANS MARTY
16558 NE 26 AVENUE
NORTH MIAMI BEACH, FL

RE: ACTIVIST.

- F. RICHARD REISS
23 NW 169 STREET
NORTH MIAMI BEACH, FL

RE: HEALTH BENEFITS.

- G. MURIEL KEMP
1479 N.E. 178 STREET
NORTH MIAMI BEACH, FL

MS. KEMP GAVE HER 3 MINUTES TO
MR. RICHARD REISS

- H. CHARLES LOEB
16800 NE 15 AVENUE
NORTH MIAMI BEACH, FL

RE: AARP WELLNESS TOUR AT WALGREENS, OTHER ISSUES.

- I. ALLISON ROBIE
2131 NE 179 STREET
NORTH MIAMI BEACH, FL

RE: WISHED ALL CANDIDATES WELL, BUDGET, CURTAIL TRAVEL EXPENSES OR REDUCE IT, GREEN SUSTAINABILITY, SLUMS-PEOPLE IN NEED.

J. JEAN JEAN-LOUIS
15604 NE 12 AVENUE
NORTH MIAMI BEACH, FL

RE: HAITIAN GOVERNMENT AND VEHICLES.

15. CITY COUNCIL COMMITTEE REPORTS:

A. VICE MAYOR DEROSE'S REPORT:

1. COUNCILMAN DEROSE WISHED HIS COLLEAGUE COUNCILMAN ROSNER A HAPPY BIRTHDAY AND INDICATED TO HIM THAT HE WISHES FOR HIM TO CELEBRATE ANOTHER FIFTY YEARS.

(CNMB-CC MINUTES TAPE #418)

2. COUNCILMAN DEROSE STATED THAT THEY ARE ABOUT TWO WEEKS AWAY FROM THE ELECTION AND HE WOULD LIKE TO ENCOURAGE THE CITIZENS TO EXERCISE THEIR RIGHT ON MAY 5TH TO VOTE. COUNCILMAN DEROSE INDICATED THAT AS YOUR COUNCILMAN FOR NEARLY SIX YEARS IT HAS BEEN A GREAT PRIVILEGE TO SERVE YOU IN THAT CAPACITY AND HE IS LOOKING FORWARD TO SERVING YOU ANOTHER TWO YEARS. COUNCILMAN DEROSE STATED THAT WHEN YOU VOTE REMEMBER TO VOTE FOR HIM. COUNCILMAN DEROSE STATED THAT HIS NUMBER IS 52.

(CNMB-CC MINUTES TAPE #418)

B. COUNCILWOMAN SMITH'S REPORT:

1. COUNCILWOMAN SMITH STATED THAT EVEN THOUGH ORLANDO DELUCA LEFT SHE WOULD LIKE TO WELCOME AND STATED THAT SHE IS EXCITED THAT WE HAVE A NEW JUNIOR ATTORNEY IN OUR CITY THAT WILL CONTINUE TO MAKE NORTH MIAMI BEACH THE BEST CITY TO LIVE IN.

(CNMB-CC MINUTES TAPE #418)

-
2. COUNCILWOMAN SMITH WISHED COUNCILMAN ROSNER A HAPPY BIRTHDAY AND STATED THAT SHE DID NOT GET A PIECE OF THE CAKE BUT PERHAPS IF HE HAS ANY LEFT AFTER HER DIET ABOUT A YEAR FROM NOW SHE WOULD LIKE A PIECE AND STATED THAT HE CAN FREEZE HERS.

(CNMB-CC MINUTES TAPE #418)

3. COUNCILWOMAN SMITH STATED THAT SHE WOULD LIKE TO MENTION AS THE LIBRARY BOARD LIAISON THAT DEBRA DONAVON TROTTER HAS BEEN ON THE BOARD FOREVER. SHE IS IN MEMORIAL HOSPITAL AND THEY WISH HER QUICK SPEED AND AN EARLY RECOVERY. COUNCILWOMAN SMITH STATED THAT LISA ALVAREZ WHO HAS BEEN AN EMPLOYEE FOR EIGHT YEARS IN THE COMMUNITY DEVELOPMENT DEPARTMENT IS ALSO IN THE HOSPITAL. COUNCILWOMAN SMITH STATED THEY PRAY FOR THEIR QUICK AND SPEEDY RECOVERY.

(CNMB-CC MINUTES TAPE #418)

4. COUNCILWOMAN SMITH STATED THAT THERE IS A LOT OF THINGS COMING UP. YOU DO NOT HAVE TO SPEND A DIME. YOU CAN BE BUSY EVERY SINGLE MINUTE. COUNCILWOMAN SMITH INDICATED THAT TOMORROW NIGHT THEY HAVE THE WOMEN'S FORUM. DADE COUNTY HAS A FORUM AND IT IS USUALLY DOWNTOWN AND THIS YEAR THEY ARE BRINGING UP FOR THIS MONTH TOMORROW NIGHT IN THE McDONALD CENTER. COUNCILWOMAN SMITH INDICATED THAT THEY HAVE THEIR ANNUAL COMMUNITY MEETING ON THURSDAY NIGHT AGAIN IN THE McDONALD CENTER.

COUNCILWOMAN SMITH INDICATED THAT YOU CAN BE THE STAR OF YOUR FAMILY BECAUSE EVERY SINGLE NIGHT YOU CAN GO OUT AND IT DOES NOT COST YOU A DIME. COUNCILWOMAN SMITH STATED THAT ON FRIDAY IT GETS EVEN BETTER BECAUSE YOU GET A FREE LUNCH. COUNCILWOMAN SMITH SUGGESTED THAT THE COMMUNITY TRY TO COME FRIDAY. IT IS FOUR DOLLARS THEY HAVE CHANGED THE FREE LUNCH. IT IS FOUR DOLLARS. THAT WAS A RECENT CHANGE. COUNCILWOMAN SMITH STATED THAT IS WHERE YOU ARE GOING TO MEET YOUR CANDIDATES AND ASK THEM QUESTIONS. THAT STARTS AT 11:30 A.M. FRIDAY IN THE

McDONALD CENTER. COUNCILWOMAN SMITH INDICATED THEY HAVE ONE MORE IN EASTERN SHORES ON APRIL 30TH AT EDEN ISLES AND EVERYBODY IS WELCOME. COUNCILWOMAN SMITH STATED THAT WHAT YOU NEED TO DO IS TAKE YOUR FAMILY TO ONE OF THESE FORUMS AND REALLY GET TO THE KNOW THE CANDIDATES, READ THEIR MATERIAL, GO TO THEIR WEBSITES SO THAT YOU KNOW WHO TO VOTE FOR TO HANDLE YOUR NEEDS, YOUR SERVICES, AND YOUR SOCIAL LIFE IN THIS CITY FOR THE NEXT TWO YEARS.

(CNMB-CC MINUTES TAPE #418)

5. COUNCILWOMAN SMITH STATED THAT IN REFERENCE TO THE AUCTION THAT IS COMING UP ON SATURDAY. COUNCILWOMAN SMITH THANKED THE MANAGER WHO DID THE RESEARCH AND FOUND OUT HOW DOES MIAMI BEACH HANDLE THE ORTHODOX COMMUNITY. COUNCILWOMAN SMITH INDICATED THAT WE HAVE A LARGE ORTHODOX COMMUNITY AND THEY DO NOT WANT TO LEAVE ANYBODY OUT. COUNCILWOMAN SMITH STATED THAT THIS YEAR WHAT WE ARE DOING IS FRIDAY FROM 10 A.M. TILL NOON YOU CAN CERTAINLY COME AND SEE WHAT WE HAVE TO AUCTION. THE FLYERS ARE OUTSIDE AND IT IS ON OUR WEBSITE, CHANNEL 77 OR YOU CAN CALL THE CITY AND ASK. COUNCILWOMAN SMITH STATED THAT IT WILL BE AT 2101 NE 159 STREET AT THE OPERATIONS CENTER. YOU COME ON FRIDAY FROM 10 A.M. TILL NOON AND THEN YOU PUT IN AN ENVELOPE YOUR SILENT AUCTION AND SATURDAY WHEN THE BIDDING IS DONE ON EACH EQUIPMENT THEY WILL SEE IF THERE IS AN ENVELOPE FROM SOMEONE WHO COULD NOT COME ON SATURDAY. COUNCILWOMAN SMITH STATED THAT YOU DO NOT HAVE TO BE OF THE JEWISH FAITH OR ORTHODOX. YOU CAN COME FRIDAY FROM 10 A.M. TILL NOON IF YOU CANNOT GET THERE ON SATURDAY PUT YOUR SILENT BID IN AN ENVELOPE AND THEY WILL OPEN IT. COUNCILWOMAN SMITH STATED THAT YOU WILL NEED TO PUT A CHECK IN THE AMOUNT OF 25% OF YOUR BID AND IF YOU GET IT, OF COURSE IT WILL BE USED TOWARDS THE PURCHASE AND IF YOU DO NOT OF COURSE IT WILL BE RETURNED AND THERE WILL BE A 10% BUYER'S PREMIUM. COUNCILWOMAN SMITH INDICATED THAT WE HAVE ALL THIS AVAILABLE AND SHE WANTS YOU TO LOOK ON CHANNEL 77 OR CALL THE CITY IF YOU HAVE ANY MORE QUESTIONS.

(CNMB-CC MINUTES TAPE #418)

6. COUNCILWOMAN SMITH THANKED TERRY FOR COMING HERE TONIGHT FOR THE FIRST TIME. COUNCILWOMAN SMITH MET HIM WALKING AND HE HAD A LOT OF ISSUES. COUNCILWOMAN SMITH CAME RIGHT BACK AND HAD AN OPPORTUNITY TO MEET WITH THE MANAGER AND ASKED HIM TO BRING IN THE POLICE CHIEF. COUNCILWOMAN SMITH INDICATED THAT SHE HAS HEARD IT ON MORE THAN ONE OCCASION IN MORE THAN ONE NEIGHBORHOOD. COUNCILWOMAN SMITH STATED THAT SHE KNOWS THEY HAVE A VERY STRONG AND COMPETENT POLICE FORCE UNDER THE DIRECTION OF OUR CHIEF BUT THE PERCEPTION OF THE COMMUNITY OR THE COMMUNITY THAT HAS THE PROBLEMS MAY ACTUALLY HAVE A LOT OF PROBLEMS THAT WE ARE NOT SEEING. COUNCILWOMAN SMITH STATED THAT THEY ARE GOING TO WORK TOGETHER WITH BETTER COMMUNICATION TO GET IT OUT TO THE PUBLIC WHAT THEY ARE DOING AND FOR THE PUBLIC TO KEEP THE POLICE CHIEF INFORMED WHEN THEY SEE SOMETHING. HE CANNOT BE ON EVERY BLOCK. COUNCILWOMAN SMITH STATED THAT NOT ONLY WAS IN REFERENCE TO THE DRUGS BUT THAT WAS ALSO IN REFERENCE TO PRESENCE OF THE POLICE FORCE ON THE STREET. COUNCILWOMAN SMITH INDICATED THAT THEY WILL BE DOING SOMETHING MORE WITH COMMUNICATION.

(CNMB-CC MINUTES TAPE #418)

7. COUNCILWOMAN SMITH STATED THAT COUNCILMAN ROSNER HAD TOLD THEM ABOUT HIS SON'S ESSAY AND WHAT THAT DID FOR HER WAS TELL HER A LITTLE MORE ABOUT COUNCILMAN ROSNER AND ABOUT HIS FAMILY. COUNCILWOMAN SMITH INDICATED THAT SHE WANTED TO SHARE A STORY WITH YOU REAL QUICK. COUNCILWOMAN SMITH STATED THAT HER BROTHER LENNY PASSED AWAY AND HE USED TO ALWAYS SAVE THE PENNIES WHEN HE WOULD SEE THEM ON THE GROUND. PENNIES, DIMES, NICKELS, QUARTERS AND SHE USED TO SAY TO HIM "LENNY DON'T PICK UP THE ONE THAT IS TAILS UP IT IS BAD LUCK" AND HE WOULD ALWAYS SAY TO HER "IT'S GOOD LUCK TO ME I AM A PENNY RICHER THAN I WAS TEN MINUTES AGO". COUNCILWOMAN SMITH STATED THAT THE MORNING THAT LENNY PASSED AWAY WHEN SHE HAD HIS WHOLE FAMILY AT HER HOUSE AND HIS MOTHER-IN-LAW WITH THE OXYGEN AND HIS SON WITH HIS FUTURE WIFE WHO JUST HAD A

BABY THIS WEEK. COUNCILWOMAN SMITH INDICATED THAT LENNY WAS THERE IN FRONT OF WINN-DIXIE WHEN SHE TOOK THE WALK AT 5:30 IN THE MORNING AND A NICKEL TAILS UP AND SO EVER SINCE THEN, AND SHE MAKES HER FAMILY CRAZY, WHEN SHE SEES THAT PENNY OR SHE SEES THAT NICKEL SHE ALWAYS SAYS LENNY IS HERE. COUNCILWOMAN STATED THAT SHE HAS WALKED THE STREETS AND SHE WILL SAY SHE HAS BEEN OUT ABOUT FIFTEEN TIMES, TWENTY TIMES AND TODAY IS THE FIRST DAY SHE DID NOT FIND A PENNY. COUNCILWOMAN SMITH INDICATED THAT SHE ALWAYS HAD LENNY WALKING WITH HER SO SHE WOULD LIKE TO THANK HER BROTHER. COUNCILWOMAN SMITH STATED THAT SHE WANTED TO REMIND EVERYBODY HOW IMPORTANT THIS VOTE IS. THIS VOTE IS YOUR CHARTER. THIS VOTE IS GOING TO DETERMINE HOW THIS CITY IS GOING TO RUN UNTIL IT IS CHANGED AGAIN. COUNCILWOMAN SMITH INDICATED THAT THEY PUT IN THAT CHARTER THAT IT HAS TO BE AT LEAST ONCE EVERY TEN YEARS BECAUSE IT WAS NOT DONE FOR SEVENTEEN YEARS. COUNCILWOMAN SMITH ASKED THAT YOU LEARN WHAT THE CHARTER ISSUES ARE AND TO MAKE SURE YOU, YOUR NEIGHBORS, AND YOUR FRIENDS VOTE AND TO STUDY YOUR CANDIDATES AND TO VOTE AND TO TELL YOU IN CASE SHE IS NOT IN THIS SEAT. COUNCILWOMAN SMITH INDICATED THAT SHE STUDIED THE TAPE FROM TWO YEARS AGO AND SHE SAW COUNCILMAN JULIEN SAY THAT. COUNCILWOMAN SMITH STATED THAT IN CASE SHE IS NOT IN THIS SEAT SHE APPRECIATES THE OPPORTUNITY THIS CITY HAS GIVEN HER AND SHE APPRECIATES VERY MUCH AND SHE TOOK IT VERY SERIOUSLY THE ROLE YOU PUT HER IN. COUNCILWOMAN SMITH STATED THAT IF SHE REMAINS IN THIS SEAT SHE WILL CONTINUE ALONG THOSE LINES AND GOD BLESS EVERYONE OF YOU.

(CNMB-CC MINUTES TAPE #418)

C. COUNCILMAN CHERNOFF'S REPORT:

1. COUNCILMAN CHERNOFF THANKED AND INTRODUCED THE NEW C.R.A. DIRECTOR MR. DAN WICK. COUNCILMAN CHERNOFF STATED THAT HE STAYED THE WHOLE NIGHT AND CONGRATULATED HIM. COUNCILMAN CHERNOFF ALSO WELCOMED OUR NEW ASSISTANT CITY ATTORNEY AND STATED THAT THIS IS A TRULY A GREAT PLACE AND HOPEFULLY YOU HAVE LONG DISTINGUISHED CAREERS HERE AND INDICATED THAT THEY ARE LOOKING FORWARD TO A

LOT OF THINGS FROM THEM.

(CNMB-CC MINUTES TAPE #418)

2. COUNCILMAN CHERNOFF THANKED HIS COLLEAGUES FOR PASSING TO NAME THE CASHIERS' OFFICE THE ANITA EDELMAN CASHIERS' OFFICE. COUNCILMAN CHERNOFF STATED THAT WAS VERY GRACIOUS OF EVERYBODY AND INDICATED THAT HE KNOWS THAT TRULY CAME FROM EVERYBODY'S HEART AND EVERYBODY PUT AWAY THEIR DIFFERENCES AND DEFINITELY ENDORSED THAT. COUNCILMAN CHERNOFF THANKED EVERYONE AGAIN AND INDICATED THAT IT TRULY MEANS SOMETHING TO THE EDELMAN FAMILY AND TO THE FAMILY OF NORTH MIAMI BEACH WHO TRULY MISSES ANITA. COUNCILMAN CHERNOFF STATED THAT ANITA WAS TRULY AN ASSET TO THIS COMMUNITY THAT WE ARE DEFINITELY GOING TO MISS.

(CNMB-CC MINUTES TAPE #418)

3. COUNCILMAN CHERNOFF THANKED EVERYBODY FOR THE OPPORTUNITY TO SERVE AS YOUR COUNCILMAN FOR ALL THE YEARS THAT HE HAS SERVED. COUNCILMAN CHERNOFF STATED THAT HE HAS NEVER TAKEN THIS POSITION LIGHTLY AND HE TRULY THINKS THAT HE HAS REPRESENTED THE COMMUNITY WELL AND HOPES TO BE HERE TO CONTINUE TO REPRESENT THE COMMUNITY.

COUNCILMAN CHERNOFF INDICATED TO HIS COLLEAGUES THAT QUESTION THE MAYOR ON BRINGING FORTH A RESOLUTION OR AN ADOPTION THAT IS HOW WE DO IT FROM THE DAIS. COUNCILMAN CHERNOFF INDICATED THAT A LOT OF THEM DIRECT THE MANAGER OR DIRECT THE ATTORNEY TO BRING FORTH THE RESOLUTION. THAT IS HOW THE ANITA RESOLUTION CAME FORWARD. SOMETIMES WE DO NOT DISCUSS IT ON THE 4TH FLOOR. THAT IS HOW THEY COLLEGIATELY DO IT. YES, IT WOULD BE WONDERFUL IF THEY DISCUSSED EVERYTHING ON THE 4TH FLOOR BUT THEN THE PUBLIC WOULD NOT KNOW WHAT IS REALLY GOING ON. THEY WOULD NOT HEAR IT SO SOMETIMES THE DISCUSSION IS BETTER DOWN HERE THAN ON THE 4TH FLOOR. COUNCILMAN CHERNOFF STATED THAT HE DOES NOT HAVE ANY PROBLEM IF THEY HAVE TO DISCUSS SOMETHING FROM THE DAIS AND HE WELCOMES THE DISCUSSION. COUNCILMAN CHERNOFF INDICATED THAT AGAIN IT HAS BEEN HIS

PLEASURE SERVING YOU AND IF YOU CHOOSE TO RE-ELECT COUNCILMAN CHERNOFF HE WILL BE HAPPY TO SERVE YOU AGAIN. COUNCILMAN CHERNOFF STATED PLEASE COME OUT THE COMMUNITY AND VOTE MAY 5TH. EARLY VOTING WILL START SUNDAY AND PLEASE COME OUT AND VOTE. EXERCISE YOUR RIGHT TO VOTE. YOU CAN STILL VOTE ABSENTEE BALLOT. COUNCILMAN CHERNOFF APPLAUDED THE CANDIDATES FOR NO MUDSLINGING SO FAR. HOPEFULLY IT STAYS THAT WAY. RUN ON YOUR LAURELS, RUN ON WHAT YOU ARE GOING TO DO FOR THIS COMMUNITY AND THAT IS WHAT THE PEOPLE SHOULD HEAR AND IF THEY WANT TO FOR YOU OR VOTE FOR ME THEN LET THEM DO IT. COUNCILMAN CHERNOFF WISHED EVERYBODY A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #418)

D. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE STATED THAT TOMORROW, APRIL 22ND IS EARTH DAY. PLEASE DO SOMETHING. THERE ARE A LOT OF THINGS YOU CAN DO. COUNCILMAN PIERRE INDICATED THAT FIRST YOU CAN WEAR GREEN, A GREEN SHIRT, A GREEN BLOUSE, WEAR SOMETHING GREEN TO BEGIN WITH. COUNCILMAN PIERRE INDICATED THAT YOU CAN GO THE NEXT MILE FOR EXAMPLE YOU CAN DECIDE IF YOU NEVER DID THAT YOU SAY TOMORROW I AM GOING TO RECYCLE MY NEWSPAPER, I AM GOING TO TAKE THE BOTTLE TO THE RECYCLING PLACE. I AM GOING TO PARK MY CAR AND WALK TO THE CORNER STORE. COUNCILMAN PIERRE STATED DO SOMETHING PLEASE. IT ONLY HAPPENS ONCE A YEAR BUT HE WANTS IT TO BE WORTHWHILE.

(CNMB-CC MINUTES TAPE #418)

2. COUNCILMAN PIERRE STATED THAT ON THURSDAY THEY WILL HAVE THEIR FIRST EVER LIVE TELEVISED COMMUNITY MEETING. COUNCILMAN PIERRE INDICATED THAT THANKS TO THE EFFORTS OF OUR INFORMATION TECHNOLOGIES DEPARTMENT, AND THE MANAGER, AND TO THE INSISTENCE OF COUNCILMAN PIERRE THEY ARE MOVING THE CITY FORWARD AT THE FOREFRONT OF THE TECHNOLOGY AGE. COUNCILMAN PIERRE STATED THAT WE CANNOT BE LEFT BEHIND. WE ARE MOVING AND SO IS THIS CITY. COUNCILMAN PIERRE THANKED THE MANAGER FOR MAKING PART

OF HIS DREAM A REALITY.

(CNMB-CC MINUTES TAPE #418)

3. COUNCILMAN PIERRE STATED THAT FOR THE PAST TWO YEARS HE HAS HAD THE HONOR AND THE PRIVILEGE TO SERVE YOU. WHEN HE FIRST CAMPAIGNED HE PROMISED TO BE YOUR VOICE, TO LISTEN TO YOU, TO BRING FORTH YOUR CONCERN, TO DISCUSS YOUR ISSUES, AND NOT ONLY TO DISCUSS THEM BUT TO DO SOMETHING ABOUT IT. COUNCILMAN PIERRE STATED THAT HE IS HAPPY TO REPORT THAT AFTER HIS FIRST TERM IN OFFICE HE HAS REALIZED WHAT MANY BEFORE HIM WERE NOT ABLE TO DO IN 8, 10, OR 20 YEARS. COUNCILMAN PIERRE INDICATED THAT HE HAS LIVED IN THIS CITY FOR 17 YEARS AND FOR THE PAST 6 YEAR HE HAS BEEN MORE OR LESS ACTIVE IN OUR COMMUNITY BUSINESS. COUNCILMAN PIERRE STATED THAT HE HEARD SO MANY TIMES PEOPLE SAY WE NEED TO DO SOMETHING ABOUT LIFE INSURANCE. WE NEED TO DO SOMETHING ABOUT IT. WE TALK ABOUT IT BUT NOTHING WAS DONE ABOUT IT UNTIL NOW. COUNCILMAN PIERRE INDICATED THAT THANKS TO HIS COLLEAGUE HE SPONSORED A RESOLUTION WHO PASSED AND THAT HAS BEEN PUT TO REST. COUNCILMAN PIERRE STATED THAT SOME OF OUR ACCOMPLISHMENTS INCLUDE THE EMPLOYEE OF THE MONTH AWARD AND AS SOMEBODY WHO CARES HE LISTENS TO EVERY SINGLE COMPLAINT AND TO THE BEST OF HIS ABILITY HE ANSWERS EVERY PHONE CALL, RETURNS EVERY E-MAIL, AND DISCUSS WHATEVER YOU WANT HIM TO DISCUSS. COUNCILMAN PIERRE STATED THAT HE THINKS YOU ELECTED HIM TO DO YOUR JOB AND THAT IS EXACTLY WHAT HE HAS BEEN DOING SERVING YOU. COUNCILMAN PIERRE INDICATED THAT HE WOULD BE HONORED AND PRIVILEGED WHEN ON MAY 5TH YOU CAST YOUR VOTE FOR HIM, FRANTZ PIERRE, NUMBER 59 SO THAT HE CAN SERVE YOU TWO MORE YEARS. COUNCILMAN PIERRE STATED THAT HE HAS PLENTY OF AGENDA. WHAT YOU HAVE SEEN SO FAR IS ONLY THE BEGINNING AND WE HAVE MORE. IF YOU READ HIS BROCHURES AND HIS LITERATURE. COUNCILMAN PIERRE INDICATED THAT 42,000 RESIDENTS KNOW HIS PHONE NUMBER. FEEL FREE TO CALL COUNCILMAN PIERRE WILL BE MORE THAN HAPPY TO DISCUSS. COUNCILMAN PIERRE STATED THAT HE WOULD RESERVE THE SECOND PART IF NECESSARY FOR LATER.

(CNMB-CC MINUTES TAPE #418)

E. COUNCILMAN ROSNER'S REPORT:

1. COUNCILMAN ROSNER THANKED HIS WIFE AND CHILDREN FIRST. COUNCILMAN ROSNER STATED THAT FOR THE PAST 6 MONTHS THEY HAVE SEEN HIM WORK VERY HARD. COUNCILMAN ROSNER INDICATED THAT HE KNOWS ALL HIS COLLEAGUES WISHED HIM A HAPPY BIRTHDAY BUT BELIEVE IT OR NOT HE DID NOT GET HOME UNTIL 10 P.M. LAST NIGHT WHEN 3 OF HIS 4 KIDS WERE FAST ASLEEP SO HE DID NOT GET TO HAVE THE PIECE OF CAKE BUT HE KNOWS THAT HE WAS OUT WORKING VERY HARD LAST NIGHT IN THE RAIN AND MEETING CONSTITUENTS. COUNCILMAN ROSNER STATED THAT HE HAS KNOCKED ON A LOT OF DOORS AND SET OUT A LOT OF THINGS THAT HE WOULD LIKE TO CONTINUE TO DO HERE IN OUR CITY. COUNCILMAN ROSNER INDICATED THAT ONE OF THE CANDIDATE'S SISTER MENTIONED TOGETHER EACH OF US ACCOMPLISH MORE. WHEN WE WORK TOGETHER. AND THAT IS TRUE THAT UNITED WE STAND AND DIVIDED WE FALL A VERY PROPER PHILOSOPHY THAT NEEDS TO CONTINUE IN OUR CITY.

(CNMB-CC MINUTES TAPE #418)

2. COUNCILMAN ROSNER STATED THAT ON FRIDAY THEY HAVE A LUNCHEON. IT IS GOING TO BE BASICALLY DISCUSSING THE BALLOT QUESTIONS. THE ASSISTANT CITY ATTORNEY IS GOING TO BE DISCUSSING THE BALLOT QUESTIONS ON FRIDAY. COUNCILMAN ROSNER INDICATED THAT THE LUNCHEON IS FROM 11 A.M. TILL 2 P.M. COUNCILMAN ROSNER STATED THAT SOMEHOW HE HAS BEEN MANAGING TO ANNOUNCE IT THAT IT WAS FREE NOW HE IS FINDING OUT IT IS FOUR DOLLARS. COUNCILMAN ROSNER ASKED WE ARE STILL NOT SURE IT IS GOING TO BE FREE? IT IS GOING TO BE FOUR DOLLARS? WE ARE LOOKING FOR THE MONEY? COUNCILMAN ROSNER STATED THAT HE BELIEVES THEY HAVE ANNOUNCED IT AND REVEREND BURKE WAS HERE TONIGHT AND IS BRINGING PEOPLE SO COUNCILMAN ROSNER BELIEVES IT IS FREE. COUNCILMAN ROSNER INDICATED THAT KOSHER MEALS ARE AVAILABLE. COUNCILMAN ROSNER STATED THAT THE CANDIDATES WHO ARE ATTENDING NEED TO RESPOND BECAUSE THEY HAVE NOT ALL RESPONDED. THE LUNCHEON IS BETWEEN 11 A.M. AND 2 TO 3 P.M. IT SHOULD BE QUITE INFORMATIVE. COUNCILMAN ROSNER INDICATED THAT EARLY VOTING STARTS THIS COMING SUNDAY

THE 26TH, IT IS GOING TO BE DOWNSTAIRS IN CITY HALL FROM 2 P.M. TILL 6 P.M., MONDAY THROUGH FRIDAY FROM 10 A.M. TILL 6 P.M., NEXT SATURDAY FROM 2 P.M. TILL 6 P.M., AND THEN THE ELECTION IS MAY 5TH. COUNCILMAN ROSNER THANKED EVERYBODY IN THIS COMMUNITY. COUNCILMAN ROSNER STATED THAT HE HAS BEEN HERE SIX YEARS AND HE THINKS A LOT OF PEOPLE KNOW THAT HE WORKS VERY HARD AND IN MOST CASES HE HAS WORKED EACH OF HIS LAST THREE ELECTIONS PRETTY MUCH ALONE WITH A VERY FEW PEOPLE THAT HELP. COUNCILMAN ROSNER INDICATED THAT HE HAS HAD SO MANY PEOPLE CALL AND HELP IT HAS BEEN ABSOLUTELY HEART WARMING. WHEN YOU GET CALLS AND PEOPLE JUST WANT TO HELP. COUNCILMAN ROSNER STATED THAT HE SINCERELY APPRECIATES EVERYBODY HAVING GIVEN THEIR TIME, ENERGY TO HIS CAMPAIGN AND TO HELP HIM ACCOMPLISH ANOTHER DREAM AND MOVE FORWARD OUR CITY AS HE THINKS TOGETHER WE CAN DO BETTER AND HE LOOKS FORWARD TO WORKING WITH HIS COLLEAGUES AFTER THIS ELECTION AND MAKING A DIFFERENCE IN OUR CITY. COUNCILMAN ROSNER THANKED AND WISHED EVERYONE A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #418)

F. COUNCILMAN JULIEN'S REPORT:

1. COUNCILMAN JULIEN STATED TO COUNCILMAN ROSNER THAT EVEN THOUGH COUNCILMAN ROSNER GOT HOME LATE LAST NIGHT HE WANTED TO WISH HIM A HAPPY BIRTHDAY ALL BE IT A DAY LATE. COUNCILMAN JULIEN INDICATED TO MARTY THAT WHATEVER IT IS THAT PEOPLE ARE DIGGING INTO HIS BACKGROUND COUNCILMAN JULIEN FOR ONE WILL APOLOGIZE TO HIM BUT COUNCILMAN JULIEN WILL SAY WELCOME TO NORTH MIAMI BEACH BECAUSE UNFORTUNATELY THAT SEEMS TO BE THE WAY THINGS ARE DONE AROUND HERE. COUNCILMAN JULIEN STATED THAT HE HAS BEEN PUT THROUGH STUFF THAT COUNCILMAN JULIEN AND MARTY CAN TALK ABOUT WHEN THIS ELECTION IS OVER WITH. COUNCILMAN JULIEN STATED THAT IT DOES NOT MAKE IT RIGHT BUT HE UNDERSTANDS MARTY'S PAIN BELIEVE HIM HE DOES AND HE IS SORRY THAT MARTY IS GOING THROUGH THAT. COUNCILMAN JULIEN WELCOMED OUR NEW ASSISTANT CITY ATTORNEY, ORLANDO DE LUCA, AND STATED THAT HE HAS A FEELING THAT WITH CITY ATTORNEY DARCEE SIEGEL AS HIS BOSS AND MENTOR HE

WILL DO JUST FINE.

(CNMB-CC MINUTES TAPE #418)

2. COUNCILMAN JULIEN THEN THANKED THE CODE ENFORCEMENT DEPARTMENT ESPECIALLY SHARON FOR GOING OUT THERE AFTER HE BROUGHT IT UP TWO WEEKS AGO. SHE WENT INTO CARL BYOUR AND WAS ABLE TO DISCOVER WHAT IT IS THAT HE BROUGHT TO YOUR ATTENTION. COUNCILMAN JULIEN STATED THAT HE UNDERSTANDS CODE ENFORCEMENT IS OUT THERE DOING A SLIGHT CLEAN-UP OUT THERE. COUNCILMAN JULIEN INDICATED THAT AGAIN THE PROBLEM IS THAT IT SHOULD NOT TAKE ONE OF THEM BRINGING IT UP SO IT CAN GET DONE. COUNCILMAN JULIEN STATED THAT HE THINKS WITH THE AMOUNT OF CODE ENFORCEMENT OFFICERS THAT WE HAVE AVAILABLE THIS IS JUST SOMETHING THAT THEY SHOULD BE ABLE TO SEE ON THEIR OWN BECAUSE WHEN YOU HAVE FOUR VEHICLES SITTING ON A LAWN WE KNOW IT DOES NOT BELONG THERE AND ESPECIALLY IF THE TIRES ARE FLAT AND THERE ARE NO TAGS. THAT SHOULD BE AN INDICATION THAT THERE IS SOMETHING WRONG.

(CNMB-CC MINUTES TAPE #418)

3. COUNCILMAN JULIEN STATED THAT ON A DIFFERENT NOTE HE WOULD LIKE TO BRING EVERYBODY UP TO SPEED ON SOME LATEST DEVELOPMENTS WITH THE CITY. LAST WEEK THEY GOT SERVED WITH A LAWSUIT FILED BY ONE CANDIDATE AGAINST ANOTHER CANDIDATE, AND THE CITY, AND THE CITY CLERK, WHICH REALLY IS AN UNFORTUNATE SET OF EVENTS AND CIRCUMSTANCES. COUNCILMAN JULIEN STATED THAT THE WAY HE KIND OF SEES IT IS REGARDLESS OF THE OUTCOME OF THIS LAWSUIT, REGARDLESS OF HOW THE JUDGE WILL RULE IT LEAVES THE CITY IN WHAT COUNCILMAN JULIEN CONSIDERS A RATHER PRECARIOUS POSITION. IT LEAVES US WITH A BLACK EYE AND IT IS NOT ONE THAT COUNCILMAN JULIEN THINKS WE SHOULD TAKE VERY LIGHTLY. COUNCILMAN JULIEN INDICATED THAT OUR CITY CLERK'S OFFICE IS RESPONSIBLE FOR OVERSEEING OUR ELECTIONS AND COUNCILMAN JULIEN TRULY BELIEVED THAT THE CITY CLERK'S OFFICE WAS RESPONSIBLE FOR ASSURING, AT THE VERY LEAST, THAT THE DOCUMENTS THAT WE PROVIDE ARE ACCURATE. COUNCILMAN JULIEN STATED THAT IF WE ARE GOING TO CERTIFY THAT SOMEONE

IS RUNNING FOR OFFICE WE NEED TO AT LEAST PUT FORTH THE VERY BEST EFFORT THAT WE CAN TO MAKE SURE THAT IT IS DONE PROPERLY. COUNCILMAN JULIEN INDICATED THAT UNFORTUNATELY ONE OF THE CANDIDATES THAT MAY END UP BEING DISQUALIFIED IS SOMEONE WHO HAS SERVED THIS CITY PROUDLY FOR OVER SIXTEEN YEARS. COUNCILMAN JULIEN STATED THAT HE HOPES THAT DOES NOT HAPPEN BUT IN CASE IT DOES HAPPEN COUNCILMAN JULIEN FINDS IT DISHEARTENING AND IT DOES NOT SIT VERY WELL WITH HIM. COUNCILMAN JULIEN INDICATED THAT THERE IS NOT TOO MUCH HE CAN SAY FURTHER ABOUT THE EVENT BUT HE KNOWS THAT THE CITY CLERK HAS STATED THAT HE PLANS TO RETIRE ON JUNE 1ST. COUNCILMAN JULIEN INDICATED THAT HE HAD SUPPORTED THE CITY CLERK IN HIS DECISION TO RETIRE ON JUNE 1ST BUT IN LIGHT OF THE FACT THAT WE HAVE AN UPCOMING ELECTION JUST TWO WEEKS AWAY COUNCILMAN JULIEN MAY BE STANDING ALONE ON THIS ONE BUT HE WILL BE MAKING A MOTION TO TERMINATE THE CITY CLERK.

AT THIS TIME A MOTION WAS MADE BY COUNCILMAN JULIEN, SECONDED BY COUNCILMAN PIERRE TO TERMINATE THE CITY CLERK.

THEREAFTER, THE CITY CLERK ANNOUNCED THAT HE WILL BE RETIRING AS OF TONIGHT APRIL 21, 2009.

AFTER MUCH DISCUSSION COUNCILMAN JULIEN WITHDREW HIS MOTION TO TERMINATE THE CITY CLERK.

THEREAFTER, COUNCILMAN PIERRE WITHDREW HIS SECOND ON THE MOTION TO TERMINATE THE CITY CLERK.

AT THIS TIME A MOTION WAS MADE BY COUNCILMAN JULIEN, SECONDED BY COUNCILMAN ROSNER TO ACCEPT THE CITY CLERK'S RETIREMENT. MOTION CARRIED, WITH MAYOR MARIN, VICE MAYOR DEROSE, AND COUNCILMAN CHERNOFF VOTING IN THE NEGATIVE.

THEREAFTER, A MOTION WAS MADE BY COUNCILMAN ROSNER, SECONDED BY COUNCILMAN JULIEN TO APPOINT THE ASSISTANT CITY CLERK AS INTERIM CITY CLERK.

MOTION FAILED, WITH MAYOR MARIN, COUNCILMAN CHERNOFF, COUNCILMAN PIERRE, AND COUNCILMAN ROSNER VOTING IN THE NEGATIVE.

THEREAFTER, A MOTION WAS MADE BY COUNCILMAN CHERNOFF TO APPOINT SOLOMON ODENZ AS THE INTERIM CITY CLERK. MOTION FAILED FOR A LACK OF SECOND.

THEREAFTER, A MOTION WAS MADE BY COUNCILMAN JULIEN TO APPOINT ROSLYN WEISBLUM, ASSISTANT CITY MANAGER AS INTERIM CITY CLERK.
MOTION FAILED FOR A LACK OF SECOND.

AFTER MUCH DISCUSSION THE COUNCIL DECIDED NOT TO NAME AN INTERIM CITY CLERK AT THIS TIME, BUT TO IMMEDIATELY CONTACT THE TOP RANKED CANDIDATE TO DETERMINE AVAILABILITY AND BEGIN NEGOTIATIONS AS PREVIOUSLY DISCUSSED.

(CNMB-CC MINUTES TAPE #418)

G. MAYOR MARIN'S REPORT:

1. MAYOR MARIN STATED THAT OUR NEXT COUNCIL MEETING HAS BEEN CANCELED BECAUSE THERE IS AN ELECTION ON MAY 5TH AND THE BALLOT COUNT WILL BE HELD AT THE THEATER. MAYOR MARIN INDICATED THAT IF THERE IS A RUNOFF THE RUNOFF ELECTION WILL BE ON MAY 19TH. OUR NEXT SCHEDULED MEETING WILL BE ON MAY 26TH WHICH WILL BE A SWEARING OF THE TRANSFERS. MAYOR MARIN WISHED COUNCILMAN ROSNER A HAPPY BIRTHDAY. MAYOR MARIN STATED THAT WHILE WE MAY ALL HAVE MADE A CHOICE ON EVERYTHING MAYOR MARIN STILL CONTENDS THAT THIS IS NOTHING MORE THAN A HIGH TECH FANCY LYNCHING. MAYOR MARIN STATED THAT COUNCILMAN ROSNER AND HIMSELF ASKED FOR EACH OTHER E-MAILS FOR OVER A YEAR AND HE MADE SOME EXTRA CD'S IF ANYONE WANTS THEM YOU CAN HELP YOURSELF TO COUNCILMAN ROSNER'S E-MAILS TO THE MANAGER OR MAYOR MARIN'S E-MAILS TO THE MANAGER. MAYOR MARIN INDICATED THAT THERE IS AN IMPACT MEETING ON APRIL 28TH FOR THE CANDIDATES.

(CNMB-CC MINUTES TAPE #418)

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH WAS ADJOURNED AT 11:06 PM.

CERTIFICATION

I, SUSAN A. OWENS, CMC, CITY CLERK OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES, PAGES ONE (1) THROUGH PAGE TWENTY-FIVE (25) 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 TWENTY-FIRST (21) DAY OF APRIL, 2009.

(SEAL)


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