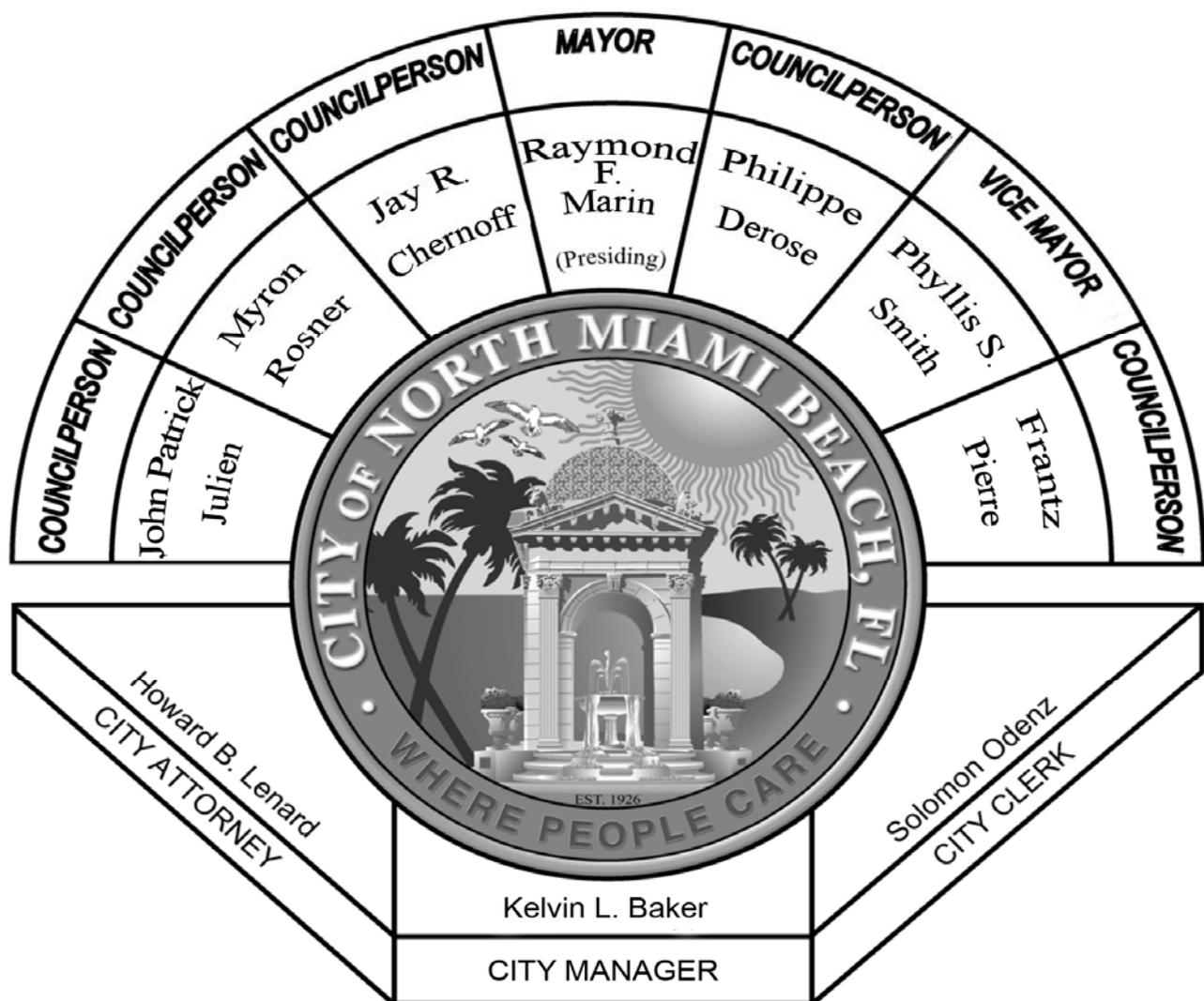


*Welcome  
To A Meeting of the  
City of North Miami Beach City Council  
Your City Officials*



## AGENDA

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

**DATE and TIME:** TUESDAY, OCTOBER 21, 2008, 7:30 PM

**LOCATION:** CITY HALL, 17011 NE 19<sup>th</sup> AVENUE  
2<sup>ND</sup> FLOOR, COUNCIL CHAMBERS

**NEXT CITY COUNCIL MEETING: TUESDAY, NOVEMBER 4, 2008**

# AGENDA ITEMS

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

2. **INVOCATION:**

(TO BE ANNOUNCED)

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

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

5. **APPOINTMENTS/PRESENTATIONS:**

A. **APPOINTMENTS:**

NONE

B. **PRESENTATIONS:**

1. SWEARING IN OF POLICE OFFICER JETRO NELSON BY MAYOR RAYMOND F. MARIN.
2. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY COUNCILMAN FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO JAMES W. LUDDEN AS THE EMPLOYEE OF THE MONTH FOR OCTOBER.
3. PRESENTATION OF PROCLAMATION BY MAYOR RAYMOND F. MARIN TO THE ORANGE BOWL COMMITTEE IN HONOR OF ITS 75<sup>TH</sup> ANNIVERSARY AND DECLARING OCTOBER 21, 2008 AS "ORANGE BOWL COMMITTEE DAY".

6. **APPROVAL OF MINUTES:**

OCTOBER 7, 2008

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

**KELVIN L. BAKER**

- A. REQUEST APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND THE CITY OF SUNNY ISLES BEACH ALLOWING THE CONSTRUCTION OF AN EIGHT INCH (8") WATER MAIN AND RELATED LATERALS TO SERVICE ATLANTIC ISLES.

8. **CITY ATTORNEY'S REPORT:**

**HOWARD B. LENARD**

- A. SPECIAL RESERVE TIME FOR A HAPPY REPORT BY THE CITY ATTORNEY.

# AGENDA ITEMS

## 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.

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### **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.

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**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.

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### **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)**

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

RE: NMB ISSUES.

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

RE: WHEN IGNORANCE IS BLISS IS FOLLY TO BE WISE.

# AGENDA ITEMS

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## 10. MISCELLANEOUS ITEMS:

NONE

## 11. WAIVER OF FEE:

NONE

## 12. BUSINESS TAX RECEIPT MATTERS:

### CITY CLERK

- A. DOUGLAS GARDENS CMHC MIAMI BEACH, INC.  
d/b/a DOUGLAS GARDENS A.C.L.F.  
17000-17030 N.E. 21 AVENUE  
NORTH MIAMI BEACH, FL.

DANIEL T. BRADY, EXECUTIVE DIRECTOR

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR A RESIDENTIAL TREATMENT FACILITY AS PER RESOLUTION NO. R86-26, R86-26A AND R86-26B (ANNUAL APPROVAL).

## 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).*

## 13B. LEGISLATION:

### RESOLUTIONS (SERIATIM NO. R2008-49):

#### RESOLUTION NO. R2008-43

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING THE CHARTER REVIEW COMMITTEE AN EXTENSION OF SIXTY DAYS TO COMPLETE THEIR REVIEW OF THE CITY'S CHARTER AND TO SUBMIT THEIR REPORT AND RECOMMENDATIONS TO THE CITY COUNCIL.

#### RESOLUTION NO. R2008-46

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF SUNNY ISLES BEACH FOR THE INSTALLATION OF A WATER MAIN IN ATLANTIC ISLES.

# AGENDA ITEMS

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## **13B. LEGISLATION - CONTINUED:**

### **RESOLUTION NO. R2008-48**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY THE AFSCME AGREEMENT APPROVED BY THE BARGAINING UNIT ON OCTOBER 9, 2008 COVERING THE TERM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2011.

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

#### **ORDINANCE NO. R2008-18**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CHAPTER 2, ENTITLED "STRUCTURE OF CITY GOVERNMENT", BY ADDING A SECTION PROVIDING FOR LOBBYIST REGISTRATION; PROVIDING FOR LOBBYIST REPORTING REQUIREMENTS; PROVIDING FOR LATE REGISTRATION AND PENALTIES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

### **ORDINANCES - SECOND AND FINAL READING:**

#### **ORDINANCE NO. 2008-20**

AN ORDINANCE IMPOSING A LIMITED AND TEMPORARY MORATORIUM AND PROPOSING CHANGES TO CHAPTER 24, ARTICLE XIII, SIGNS, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; PROVIDING FOR TEMPORARY 6-MONTH MORATORIUM TO THE CURRENT REGULATORY GUIDELINES CONTAINED IN ARTICLE XIII, SECTION 24-147.2(C)(1)&(2) SPECIAL EVENT SIGNS OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; PROVIDING FOR TEMPORARY 6-MONTH REGULATIONS AS TO THE SIZE OF SPECIAL EVENT SIGNS PERMITTED AND THE DURATION TIME FOR SPECIAL EVENT SIGN PLACEMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

## **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, NOVEMBER 4, 2008**