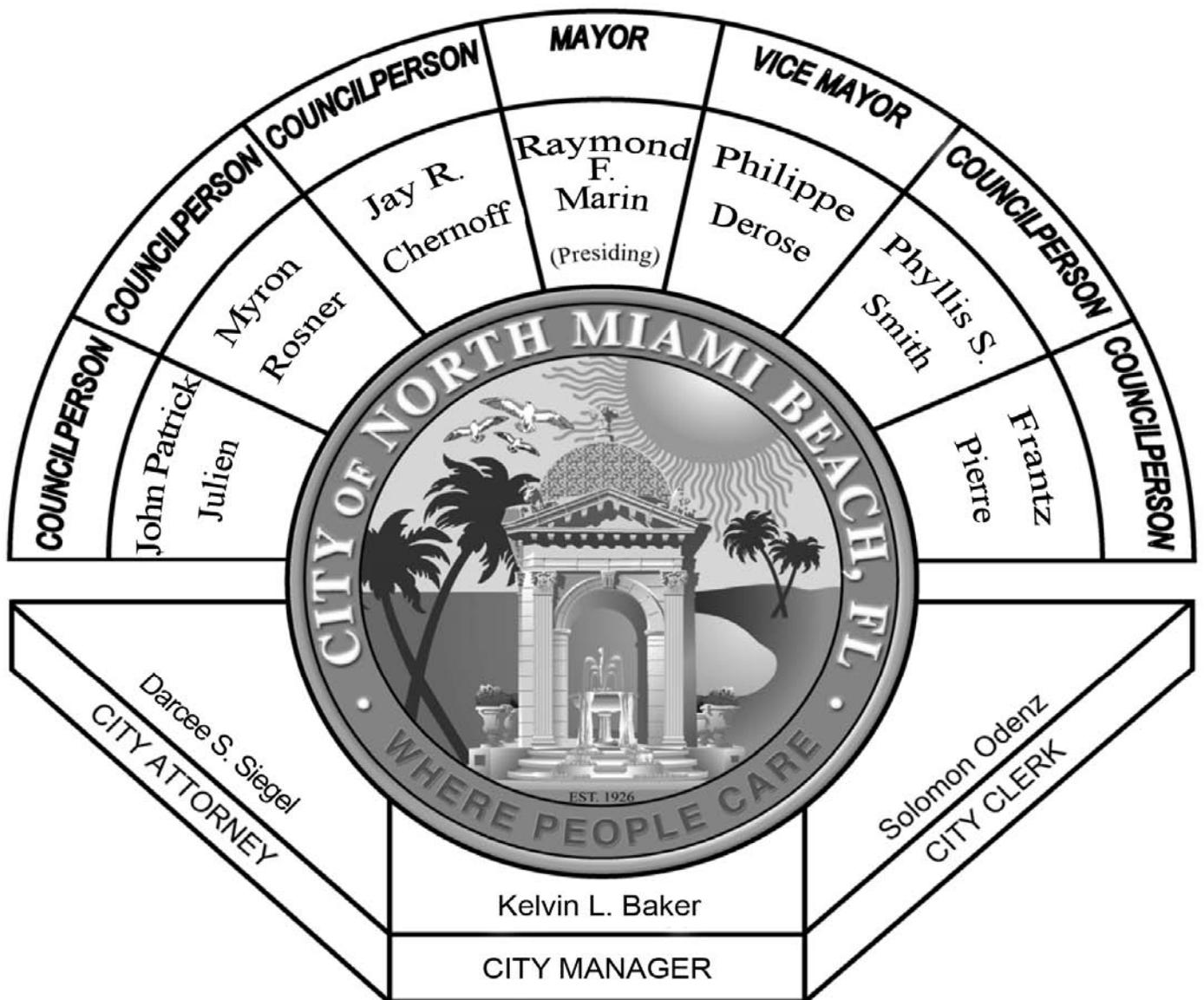


*Welcome  
To A Meeting of the  
City of North Miami Beach City Council  
Your City Officials*



**AGENDA**

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

DATE and TIME: TUESDAY, MARCH 17, 2009, 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, APRIL 7, 2009**

# AGENDA ITEMS

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

2. **INVOCATION:**

REVEREND CANON RONALD N. FOX  
ST. BERNARD DeCLAIRVAUX EPISCOPAL CHURCH.

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

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

5. **APPOINTMENTS/PRESENTATIONS:**

A. **APPOINTMENTS:**

1. SHAMOYIA GARDINER – YOUTH ADVISORY BOARD.
2. JUZTIN GROSS – YOUTH ADVISORY BOARD.

B. **PRESENTATIONS:**

1. PRESENTATION OF THE FEBRUARY C.A.R.E. SUGGESTION AWARD BY COUNCILWOMAN PHYLLIS S. SMITH AND KELVIN L. BAKER, CITY MANAGER, TO CARLOS RIVERO FOR HIS “*HOMESTEAD EXEMPTION FRAUD*” LINK ON THE CITY WEBSITE.
2. PRESENTATION BY COUNCILMAN JOHN PATRICK JULIEN OF THE NORTH MIAMI BEACH IMPRESSIVE WOMEN AWARD.
3. PRESENTATION OF THE EMPLOYEE OF THE MONTH AWARD BY COUNCILMAN FRANTZ PIERRE AND KELVIN L. BAKER, CITY MANAGER, TO JEAN MARC VIXAMA AS THE EMPLOYEE OF THE MONTH FOR MARCH 2009.

6. **APPROVAL OF MINUTES:**

MARCH 3, 2009

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

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

# 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.

\*\*\*\*\*

### **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)

\*\*\*\*\*

### **NOTICE TO ALL LOBBYISTS**

ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES IS REQUIRED TO REGISTER AS A LOBBYIST WITH THE CITY CLERK PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY BOARDS, COMMITTEES OR THE CITY COUNCIL. A COPY OF THE APPLICABLE ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK (CITY OF NORTH MIAMI BEACH CITY HALL) LOCATED AT 17011 N.E. 19<sup>TH</sup> AVENUE, GROUND FLOOR, NORTH MIAMI BEACH, FLORIDA 33162

\*\*\*\*\*

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

RE: ODYSSEY 2009.

# AGENDA ITEMS

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## 9. SCHEDULED CITIZENS APPEARANCE - CONTINUED:

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

RE: ISSUES OF CONCERN.

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

RE: NORTH MIAMI BEACH DISRESPECTFUL CHERRY PICKING SEARCHES SHOULD STOP AT COUNCIL MEETINGS.

## 10. MISCELLANEOUS ITEMS:

NONE

## 11. WAIVER OF FEE:

NONE

## 12. BUSINESS TAX RECEIPT MATTERS: CITY CLERK

A. ABRAHAMSON LLC  
d/b/a MUSIC AMERICA  
1801 N.E. 164 STREET  
NORTH MIAMI BEACH, FL.

CURTIS ABRAHAMSON, MANAGING MEMBER  
TYTUS ABRAHAMSON, MANAGING MEMBER

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

B. AMERICAN TAEKWONDO ACADEMY & SPORTS CENTER, INC.  
d/b/a AMERICAN TAEKWONDO ACADEMY & SPORTS CENTER  
2020-2030 N.E. 155 STREET  
NORTH MIAMI BEACH, FL.

KARIN KERWIN, PRESIDENT

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

# AGENDA ITEMS

## **12. BUSINESS TAX RECEIPT MATTERS - CONTINUED:**

- C. SMG ENTERTAINMENT, INC.  
d/b/a SWEET DREAMS  
17450 BISCAYNE BOULEVARD  
NORTH MIAMI BEACH, FL.

RICHARD GOLDRING, PRESIDENT  
TOM MOON, ATTORNEY

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR EXTENSION OF HOURS – 4:00 A.M.  
TO 6:00 A.M.

## **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. R2009-20):**

#### **RESOLUTION NO. R2009-17**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REVOKING IN ITS ENTIRETY CITY OF NORTH MIAMI BEACH RESOLUTION NUMBER R2008-40, WHICH GRANTED SITE PLAN APPROVAL FOR A MIXED USE PROJECT, ON PROPERTY LEGALLY DESCRIBED AS:

LOTS 1, 2, 3, 4, AND 5, LEADER SUBDIVISION, PLAT BOOK 82, PAGE 17, AS RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A/K/A  
17400 W. Dixie Highway  
North Miami Beach, Florida  
(P&Z Item No. 08-435 of September 8, 2008)

#### **RESOLUTION NO. R2009-18**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, URGING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) TO EASE RESTRICTIONS ON RESIDENTIAL WATER USAGE.

# AGENDA ITEMS

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

### **RESOLUTION NO. R2009-19**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENTS WITH PISTORINO & ALAM CONSULTING ENGINEERS, M.T. CAUSLEY, INC., AND CAP GOVERNMENT, FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR INSPECTION AND PLAN REVIEW; PROVIDING FOR AN EFFECTIVE DATE.

## **ORDINANCES - FIRST READING, BY TITLE ONLY (SERIATIM NO. 2009-9):**

### **ORDINANCE NO. 2009-8**

AN ORDINANCE AMENDING CHAPTER 16, PROPERTY MAINTENANCE, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENACTING SECTION 16-5, DISTRESSED PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

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

### **ORDINANCE NO. 2009-7**

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO PROVIDE FOR THE STATE MANDATED REQUIREMENTS OF WATER SUPPLY PLANNING AS DESCRIBED IN COMPREHENSIVE PLAN AMENDMENT PACKAGE, (ITEM # 08-439/DCA NO. 09RWSP-1), THAT AMENDS THE FUTURE LAND USE ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENT ELEMENT BY INCORPORATING THE "10-YEAR WATER SUPPLY FACILITIES WORK PLAN"; AUTHORIZING TRANSMITTAL OF THESE ADOPTED AMENDMENTS TO THE AGENCIES REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

## **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, APRIL 7, 2009**

CITY OF NORTH MIAMI BEACH, FLORIDA

VC 12/2/08

INTER-OFFICE MEMORANDUM

TO: Sol Odenz  
City Clerk

Date: December 2, 2008

FROM: Rafael P. Hernandez Jr.  
Chief of Police



SUBJECT: Police Investigation Report

REFERENCES: MUSICAMERICA  
Abrahamson LLC  
1801 NE 164th Street  
North Miami Beach, FL 33162

Per your memo dated November 20, 2008 Detective Alfred D. Sturtz conducted a complete background check into the listed business of Abrahamson LLC at 1801 N.E. 164th Street in North Miami Beach, Fla. 33162 using the Auto Track System. The following was learned: The business is licensed through the State of Florida.

A request for background history was made with the Florida Department of Law Enforcement and there was no criminal history on file in the State of Florida for the person's listed on the occupational license addendum. Those people have valid Florida driver's licenses.

The applicant has complied with all of our requirements and I am recommending that a license be issued.

RECEIVED  
08 DEC -3 PM 3:35  
CITY CLERK'S OFFICE

# MusicAmerica



## BUSINESS TAX RECEIPT APPLICATION

CITY OF NORTH MIAMI BEACH  
OFFICE OF THE CITY CLERK  
17011 N.E. 19TH AVENUE  
NORTH MIAMI BEACH, FL 33162  
PHONE: (305) 787-6001

OFFICIAL USE

7/1/08  
5814

PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH AND ANY AMENDMENTS THERETO, I (WE) HEREBY MAKE APPLICATION FOR A BUSINESS TAX RECEIPT TO CONDUCT THE BUSINESS DESCRIBED BELOW, AND I (WE) EXPECT TO COMMENCE OPERATION, OR HAVE COMMENCED OPERATION OF SAID BUSINESS ON OR ABOUT 2/10/2008

TRANSFER: PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, I (WE) HEREBY MAKE APPLICATION FOR TRANSFER OF:  LOCATION  OWNERSHIP

NEW:   
TRANSFER:  
ADDITION(S):  
CHANGE(S):  
OTHER:  
DATE: 10/20/08  
MAILED:  
REC'D:  
CLERK: jc

FROM: \_\_\_\_\_  
TO: \_\_\_\_\_  
ADDITION(S), DELETION(S), AND/OR CHANGE(S): PAID  
GK. NO. \_\_\_\_\_  
DATE \_\_\_\_\_

BUSINESS ADDRESS: > 1801 NE 164th NMB 33162  
MAILING ADDRESS: > No Mailing (same)

NAME OF BUSINESS (INDIVIDUAL, CORP., P.A., L.L.C., ETC.)

> ABRAHAMSON LLC  
TRADE NAME: > MUSICAMERICA

NAMES of ALL PERSONS ASSOCIATED as Partners/Officers/Mgrs/Sales People/etc. and their TITLES and RESIDENCE ADDRESS:

> CURTIS ABRAHAMSON MGRM  
3880 SW 53RD CRT FT LAW, FL 33312  
TITUS ABRAHAMSON MGRM  
254 SEAMAN AVE. ART BS NY, NY 10034

STATE FULL NATURE OF BUSINESS: ① PRIVATE SCHOOL - MUSIC LESSONS ie VOICES, PIANO, GUITAR, VIOLIN, BAND INSTRUMENTS ② MAJOR RETAIL SALES OF INSTRUCTIONAL MATERIALS AND ACCESSORIES OPERATIONS M-F 10AM-8PM, SAT 9AM-3PM; AGES 4 through ADULT, ONE ON ONE TOTAL ANY ONE TIME \$30 STUDENTS, MAX. # DAILY ATTENDANCE = 50, 5 INSTRUCTORS

TELEPHONE NUMBERS	STOCK/COST VALUE \$	AMOUNT(S)	CODE
BUSINESS: <u>&gt; 305-949-4902</u>	<u>5200</u>	<u>new 08/09</u>	<u>212.00 #8490</u>
RESIDENCE: <u>&gt; 954-966-1934</u>			<u>84.00 #6390</u>
EMERGENCY: <u>&gt; 913-220-8180</u>			<u>28.00</u>
CELLULAR: <u>&gt; 954-599-4733</u>			<u>75.00</u>
			<u>396.00</u>

### NOTICE

A BUSINESS TAX RECEIPT IS ISSUED ONLY AFTER APPROVAL OF ZONING, BUILDING, FIRE INSPECTION(S) (WHERE APPLICABLE), PAYMENT OF INPLANT FEE (WHERE APPLICABLE), POLICE DEPT. (WHERE APPLICABLE). I CERTIFY THAT ALL INFORMATION SHOWN ABOVE TO BE TRUE AND CORRECT, AND I DO UNDERSTAND THAT THE SAID BUSINESS AND/OR PREMISE IS NON-TRANSFERABLE WITHOUT CITY APPROVAL. BUSINESS TAX RECEIPTS OBTAINED ON A MISREPRESENTATION OF A MATERIAL FACT ARE NULL AND VOID.

> MusicAmerica BUSINESS NAME  
Curtis Abrahamson MGRM APPLICANT OR AUTHORIZED AGENT

OFFICIAL USE **INSPECTION - ADMINISTRATIVE STATUS REPORT** OFFICIAL USE  
(TO BE SIGNED BY AUTHORIZED PERSON - WHEN APPROVED RETURN TO OFFICE OF THE CITY CLERK).

APPROVED: [Signature] 10-30-08  
OFFICIAL DATE  
DENIED: \_\_\_\_\_  
OFFICIAL DATE

Department	Date Sent	Date Rec'd
ZONING	<u>10/29/08</u>	
BUILDING	<u>10/29/08</u>	
CITY CLERK		
FIRE	<u>10/29/08</u>	
PUBLIC UTILITIES	<u>10/29/08</u>	

CONDITIONS &/or STIPULATIONS (Res., Ord., Administrative or Council Action):

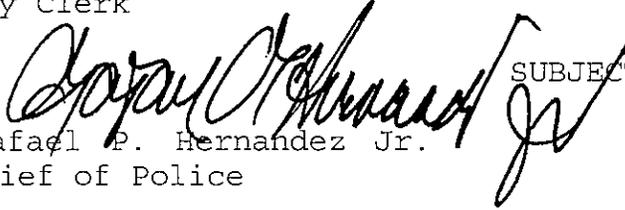
VC 12/2/08

CITY OF NORTH MIAMI BEACH, FLORIDA

INTER-OFFICE MEMORANDUM

TO: Sol Odenz  
City Clerk

Date: December 2, 2008



SUBJECT: Police Investigation Report

FROM: Rafael P. Hernandez Jr.  
Chief of Police

REFERENCES: American Taekwondo  
Academy & Sports Center, Inc.  
2030 NE 155th Street  
North Miami Beach, FL 33162

Per your memo dated November 20, 2008 Detective Alfred D. Sturtz conducted a complete background check into the listed business of American Taekwondo Academy & Sports Center, Inc. at 2030 N.E. 155th Street in North Miami Beach, Fla. 33162 using the Auto Track System. The following was learned: The business is licensed through the State of Florida.

A request for background history was made with the Florida Department of Law Enforcement and there was no criminal history on file in the State of Florida for the person listed on the occupational license addendum. That person has a valid Florida driver's license.

The applicant has complied with all of our requirements and I am recommending that a license be issued.

RECEIVED  
08 DEC -3 PM 3:35  
CMB CITY CLERK'S OFFICE

# American Taekwondo Academy & Sports Center



## BUSINESS TAX RECEIPT APPLICATION

CITY OF NORTH MIAMI BEACH  
OFFICE OF THE CITY CLERK  
17011 N.E. 19TH AVENUE  
NORTH MIAMI BEACH, FL 33162  
PHONE: (305) 787-6001

OFFICIAL USE

7/16/08  
5822

B-4

PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH AND ANY AMENDMENTS THERETO, I (WE) HEREBY MAKE APPLICATION FOR A BUSINESS TAX RECEIPT TO CONDUCT THE BUSINESS DESCRIBED BELOW, AND I (WE) EXPECT TO COMMENCE OPERATION, OR HAVE COMMENCED OPERATION OF SAID BUSINESS ON OR ABOUT NOV. 2008

**TRANSFER:** PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, I (WE) HEREBY MAKE APPLICATION FOR TRANSFER OF:  LOCATION  OWNERSHIP

NEW:   
TRANSFER:  
ADDITION(S):  
CHANGE(S):  
OTHER:  
DATE: 11/12/08  
MAILED:  
REC'D:  
CLERK: JK

FROM:  
TO:

ADDITION(S), DELETION(S), AND/OR CHANGE(S):

**PAID**

BUSINESS ADDRESS: 2030 NE 155 ST NMB 33160  
MAILING ADDRESS: 2030 NE 155 ST NMB 33160

NAME OF BUSINESS (INDIVIDUAL CORP. PA., L.L.C., ETC.): American Taekwondo Academy, SPORTS CENTER, INC.

TRADE NAME: AMERICAN TAEKWONDO ACADEMY SPORTS CENTER

NAMES OF ALL PERSONS ASSOCIATED as Partners/Officers/Mgrs/Sales People/etc. and their TITLES and RESIDENCE ADDRESS: KARIN KERWIN - Pres. 3226 NE 168 ST NMB, FL 33160

STATE FULL NATURE OF BUSINESS: KARATE INSTRUCTION/SCHOOL  
MAX CLASS SIZE - 30 STUDENTS / 2 CLASSES PER DAY  
2 INSTRUCTORS. AGES FROM 6 YRS. THRU ADULT.  
DAYS/HRS MONDAY - FRIDAY FROM 1PM - 6PM.  
(NO RETAIL SALES)

VENDING MACHINE - 1 DRINK MACHINE / 1 CANDY MACHINE

TELEPHONE NUMBERS	STOCK/COST VALUE \$	AMOUNT(S)	CODE
BUSINESS: <u>305 945 4445</u>	0	<u>212.00</u>	<u>#8990</u>
RESIDENCE: <u>305 354 2010</u>		<u>42.00</u>	<u>#6082</u>
EMERGENCY: <u>786 222 4207</u>		<u>38.10</u>	
CELLULAR: <u>786 319 8088</u>		<u>35.00</u>	

### NOTICE

A BUSINESS TAX RECEIPT IS ISSUED ONLY AFTER APPROVAL OF ZONING, BUILDING, FIRE INSPECTION(S) (WHERE APPLICABLE), PAYMENT OF INPLANT FEE (WHERE APPLICABLE), POLICE DEPT. (WHERE APPLICABLE). I CERTIFY THAT ALL INFORMATION SHOWN ABOVE TO BE TRUE AND CORRECT, AND I DO UNDERSTAND THAT THE SAID BUSINESS AND/OR PREMISE IS NON-TRANSFERABLE WITHOUT CITY APPROVAL. BUSINESS TAX RECEIPTS OBTAINED ON A MISREPRESENTATION OF A MATERIAL FACT ARE NULL AND VOID.

American Taekwondo Academy, SPORTS CENTER BUSINESS NAME  
L. K. (spouse) APPLICANT OR AUTHORIZED AGENT

### INSPECTION - ADMINISTRATIVE STATUS REPORT

(TO BE SIGNED BY AUTHORIZED PERSON - WHEN APPROVED RETURN TO OFFICE OF THE CITY CLERK)

APPROVED: [Signature] DATE: 12/26/08  
DENIED: OFFICIAL: DATE:

Department	Date Sent	Date Rec'd
ZONING	<u>11/24/08</u>	
BUILDING	<u>11/24/08</u>	
CITY CLERK		
FIRE	<u>11/24/08</u>	
PUBLIC UTILITIES	<u>11/24/08</u>	

CONDITIONS &/or STIPULATIONS (Res., Ord., Administrative or Council Action):

A/ [Signature] #157  
3/09/2009

# City of North Miami Beach Police Department

## Inter-Office Memorandum

**To:** Solomon Odenz  
City Clerk

**Date:** 3/09/09

**From:** Rafael P. Hernandez Jr.  
Chief of Police

**Subject:** SMG Entertainment Inc.  
D/b/a Sweat Dreams

Per your Memorandum dated 03/04/2009, requesting an investigation into the listed business of SMG Entertainment Inc. d/b/a Sweat Dreams 17450 Biscayne Blvd. The following was learned:

Using the SUNBIZ Florida Documents Program, corporate listings revealed that SMG Entertainment Inc. is listed as an "Active" Corporation (FEIN 200746615).

A request for background history was made with Florida Department of Law Enforcement for those person's listed on the occupational license application addendum. The listed president is Richard Kevin Goldring and is on probation in New York for falsifying business records. The other person listed has no current criminal history in the State of Florida.

As per your request, a call for service history was conducted for the time frame of 09/07/2008 through 03/09/2009. During this time period, there were three (3) calls for service. The three calls were audible alarms, that were false. The establishment has been open for a limited time during the listed time periods.

RECEIVED  
2009 MAR 10 PM 4:42  
CITY ATTORNEY'S OFFICE  
CITY OF NORTH MIAMI BEACH

List of Events - Long Format

Incident # Nature	Date/Time	Street Priority	Caller Name	Call Src	Business	City	Additional Location Info	Race Sex	Age Close	Agcy Prime Unit	Dist	St/Bt Report #
08067320	09/13/2008 03:00:18	17450 BISCAYNE BD			N					NMB		Z1 248
25AB	AUDIBLE BUSINESS	3	EVERGLADES SEC	PHON	SCORES				ALC	183		
Notes: mmm [09/13/2008 04:51:16 Unit:390 ] {183} EXTERIOR CHECKED, QRU, CHARGEABLE [09/13/08 03:08:53 LSTEVENIS] {183} FRONT SECURE [09/13/08 03:07:33 LSTEVENIS] KITCHEN MOTION .. NO RESPONDERS [09/13/08 03:01:00 GPIERR]												
08074526	10/09/2008 15:04:07	17450 BISCAYNE BD			N					NMB		Z1 248
13FP	FOOT PRINT	3		SELF	SCORES				C	321		
08075093	10/11/2008 10:39:09	17450 BISCAYNE BD			N					NMB		Z1 248
13FP	FOOT PRINT	3		SELF	SCORES				09	216		
Notes: qru, blk jeep parked in lot no tag, qru, DHSMV RECORD - VIN REC#: *01 TAG: S810597 VIN: 1J4FA29P22P758333 MAKE: JEEP BODY: JP CLASS: 001 YR MK: 02 WEIGHT: 003110 COLOR: BLK GVW: 000000 OWNER: ALEXANDRIA ANN OLIVER DOB: 03/15/82 SEX: F 16900 N BAY RD APT 2212 COUNTY RES: 01 PREV ST: SUNNY ISLES BEACH FL 33160-0000 DECAL EXP: 06/05/08 MILEAGE: 0000000 DECAL/YR: /0 REG ACTIVITY: 05/07/08 VEH USE: PRIVATE TITLE: 0000000000 TITLE ISSUE: NONE [10/11/08 10:42:42 Unit:216]												
08077170	10/19/2008 04:24:25	17450 BISCAYNE BD			N					NMB		Z1 248
25SB	SILENT ALARM TO A	3	EVERGLADES	PHON	SWEET DREAMS				C	318		
Notes: mmm [10/19/2008 06:54:15 Unit:190 ] {318} MGR ..SETTING ALARM [10/19/08 04:29:27 GPIERR] hold up [10/19/08 04:24:57 LSTEVENIS]												

Event #	Date/Time	Street	Priority	Caller Name	Call Src	Business	City	Additional Location Info	Race Sex	Age	Agcy	Dist	St/Bt	RA
										Close	Prime Unit		Report #	
08080973	11/02/2008 20:59:40	17450 BISCAYNE BD					N				NMB		Z1	248
25AB	AUDIBLE BUSINESS	3	EVERGLADES POS	PHON	SWEET DREAMS					ALC	347			
Notes: LF [11/02/2008 23:49:06 Unit:350 ] business was checked appears qru at this time.....nr [11/02/08 21:47:31 Unit:347] nmb350 advd [11/02/08 21:05:11 U10] call holding ref 232 [11/02/08 21:04:26 U10] SHOWING FRONT MOTION [11/02/08 21:00:43 U27]														
08082471	11/08/2008 03:40:22	17450 BISCAYNE BD					N				NMB		Z1	248
13	COMMUNITY CONTACT	3		SELF	SCORES					09	183			
09002198	01/08/2009 22:10:19	17450 BISCAYNE BD					N				NMB		Z1	248
20S	STRANDED MOTORIST	3	CARLY KAPLAN	PHON	SWEET DREAMS					C	394			
Notes: JA [01/08/2009 23:39:38 Unit:380 ] vehicle moved from roadway, driver's father arrival on scene to assist her with towing arrangements, qru, nr [01/08/09 22:37:34 Unit:394] SIL INFI [01/08/09 22:14:10 U27] COMPL ADVSD SHE WAS IN AN ACCIDENT EARLIER TODAY AND AS SHE WAS DRIVING TONIGHT HER WINDSHEILD FELL AND THE FLEW UP... SHE'S IN THE MIDDLE OF THE STREET [01/08/09 22:13:48 U27] compl advsd her windsheid and hood flew up into her veh ... s/b [01/08/09 22:12:00 U27]														

# Events Listed: 7

**THIS BUSINESS TAX RECEIPT MUST BE DISPLAYED IN A CONSPICUOUS PLACE. A PENALTY IS IMPOSED FOR FAILURE TO KEEP THIS BUSINESS TAX RECEIPT EXHIBITED AT YOUR ESTABLISHMENT.**

NEW

**CITY OF NORTH MIAMI BEACH, FLORIDA  
CITY BUSINESS TAX RECEIPT**

**NO. 137599**

COPY

ACCOUNT NUMBER 791612  
BUSINESS NAME SWEET DREAMS  
SMG ENTERTAINMENT, INC.  
PRES: RICHARD GOLDRING

MAIL TO:  
SWEET DREAMS  
17450 BISCAYNE BOULEVARD  
NORTH MIAMI BEACH, FL 33160

BUSINESS ADDRESS 17450 BISCAYNE BOULEVARD  
NORTH MIAMI BEACH, FLORIDA

NATURE OF BUSINESS  
EXT/HRS-NIGHTCLUB: 4-6AM; OVER 5000 GR SQFT

300000

CC APPROVAL 9/23/08; SUBJ. TO CONDITIONS, STIPULATIONS, OF RECORD: AS PER MEMO BY POLICE CHIEF DATED 9/18/08 ATTACHED TO THIS BUSINESS TAX RECEIPT RE: 1) OFF DUTY POLICE OFFICERS; 2) RESPONSIBLE VENDOR PGM F.S. 561; 3) ELECTRONIC ID READER; 4) UNDERCOVER SPOT CHECKS.

**TOTAL AMOUNT 300000**

THE ABOVE DESCRIBED BUSINESS IS HEREBY AUTHORIZED TO ENGAGE IN OR MANAGE THE BUSINESS, OCCUPATION OR PROFESSION IN THE CITY OF NORTH MIAMI BEACH, FLORIDA FOR THE PERIOD BEGINNING Oct. 01, 2008 AND ENDING ON Mar. 31, 2009 SUBJECT TO PROVISIONS OF ALL LEGISLATION. THIS RECEIPT IS NON-TRANSFERABLE WITHOUT CITY APPROVAL. THIS RECEIPT EXPIRES ON Mar. 31 OF THE RECEIPT YEAR.

AUDIT NUMBER

**158814**

DATE ISSUED

09-29-2008

RAYMOND F. MARIN, MAYOR



SOLOMON ODENZ, CITY CLERK

**12. BUSINESS TAX RECEIPT MATTERS - CONTINUED:**

C. SMG ENTERTAINMENT, INC.  
d/b/a SWEET DREAMS  
17450 BISCAYNE BOULEVARD  
NORTH MIAMI BEACH, FL.

THOMAS M. MOON, ATTORNEY

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR EXTENSION OF HOURS –  
4:00 A.M. TO 6:00 A.M. (INITIAL APPROVAL).

Thereafter, MAYOR MARIN recused himself from Item No. 12(B) (Platinum South, Inc. d/b/a Solid Gold) and Item No. 12(C) (SMG Entertainment d/b/a Sweet Dreams) on the agenda due to a conflict of interest and he also turned over the Gavel to VICE MAYOR SMITH.

Mr. Tom Moon, Attorney for the applicant, read a letter into the record for case settlement purposes. Thereafter, discussion ensued and during discussion COUNCILMAN PIERRE, COUNCILMAN CHERNOFF and COUNCILMAN ROSNER recused themselves. As a result the meeting, on this item only, found itself without a quorum. However, after further discussion and legal department input, the following two (2) motions were made and, in effect, the recusals of COUNCILMAN PIERRE, COUNCILMAN CHERNOFF and COUNCILMAN ROSNER were no longer applicable).

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN JULIEN, to DEFER Item No. 12 (C)

After further discussion on this motion COUNCILMAN JULIEN withdrew his second. Therefore, the MOTION died for lack of a second. COUNCILMAN ROSNER, also withdrew his motion.

Further discussion ensued on Item No. 12(C) resulting in the following motion:

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN CHERNOFF, to HEAR Mr. Tom Moon, Attorney for the applicant (Item No. 12(C) SMG Entertainment, d/b/a Sweet Dreams).

MOTION CARRIED.

by the following ROLL CALL VOTE:

VICE MAYOR SMITH	YES	
COUNCILMAN DEROSE	YES	
COUNCILMAN CHERNOFF	YES	(VOTE: 5 YES
COUNCILMAN PIERRE	NO	1 NO)
COUNCILMAN ROSNER	YES	
COUNCILMAN JULIEN	YES	

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN DEROSE to APPROVE a 4:00 a.m. to 6:00 a.m. Business Tax Receipt on a probationary basis (6 months) subject to filing an application and payment of fees.

MOTION CARRIED.

by the following roll call vote:

VICE MAYOR SMITH	YES	
COUNCILMAN DEROSE	YES	
COUNCILMAN CHERNOFF	YES	(VOTE: 4 YES
COUNCILMAN PIERRE	NO	2 NO)
COUNCILMAN ROSNER	NO	
COUNCILMAN JULIEN	YES	

**12. BUSINESS TAX RECEIPT MATTERS - CONTINUED:**

MOTION by VICE MAYOR SMITH, seconded by COUNCILMAN CHERNOFF to APPROVE the aforementioned motion by 1) the city receiving a letter tomorrow that all law suits relative to Item (12(C) be withdrawn and 2) agreeing with the Chief of Police conditions stated in his Memorandum dated 9/19/08.

MOTION CARRIED.

by the following ROLL CALL VOTE:

VICE MAYOR SMITH	YES	
COUNCILMAN DEROSE	YES	
COUNCILMAN CHERNOFF	YES	(VOTE: 5 YES
COUNCILMAN PIERRE	NO	1 NO)
COUNCILMAN ROSNER	YES	
COUNCILMAN JULIEN	YES	

Name of Party(ies) Appearing:

- |  |   |
|--|---|
| 1. Bert Kehren<br>3302 N.E. 171 Street<br>North Miami Beach, FL.   | 4. Norman Edwards<br>1640 N.E. 175 Street<br>NorthMiami Beach, FL.  |
| 2. Mubarak Kazan<br>15564 N.E. 12 Avenue<br>North Miami Beach, FL. | 5. Allison Robie<br>2131 N.E. 171 Street<br>North Miami Beach, FL.  |
| 3. Jarret Gross<br>3447 N.E. 168 Street<br>North Miami Beach, FL.  | 6. Diego Arboleya<br>19230 N.E. 22 Avenue<br>North Miami Beach, FL. |

B. PLATINUM SOUTH, INC.  
d/b/a SOLID GOLD  
2355 N.E. 163 STREET  
NORTH MIAMI BEACH, FL.

ALAN S. ROSENTHAL, ATTORNEY

RE: REQUEST APPROVAL OF A BUSINESS TAX RECEIPT FOR EXTENSION OF HOURS  
- 4:00 A.M. TO 6:00 A.M. (ANNUAL APPROVAL).

MOTION by VICE MAYOR SMITH, seconded by COUNCILMAN ROSNER to APPROVE a 4:00 a.m. to 6:00 a.m. Business Tax Receipt.

MOTION CARRIED.

by the following ROLL CALL VOTE:

VICE MAYOR SMITH	YES	
COUNCILMAN DEROSE	YES	
COUNCILMAN CHERNOFF	YES	(VOTE: 5 YES
COUNCILMAN PIERRE	NO	1 NO)
COUNCILMAN ROSNER	YES	
COUNCILMAN JULIEN	YES	

At this time, VICE MAYOR SMITH turned the Gavel over to MAYOR MARIN.

**MEMORANDUM**

**TO: MAYOR AND CITY COUNCIL  
CITY CLERK  
CITY MANAGER**

**FROM: DARCEE S. SIEGEL  
CITY ATTORNEY**

**DATE: March 17, 2009**

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**RE: RESOLUTION NO. R2009-17  
Revocation of Resolution No. R2008-40**

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,  
REVOKING IN ITS ENTIRETY CITY OF NORTH MIAMI  
BEACH RESOLUTION NUMBER R2008-40, WHICH  
GRANTED SITE PLAN APPROVAL FOR A MIXED USE  
PROJECT, ON PROPERTY LEGALLY DESCRIBED AS:**

**LOTS 1, 2, 3, 4, AND 5, LEADER SUBDIVISION, PLAT  
BOOK 82, PAGE 17, AS RECORDED IN THE PUBLIC  
RECORDS OF MIAMI-DADE COUNTY, FLORIDA.**

**A/K/A  
17400 W. Dixie Highway  
North Miami Beach, Florida**

**(P&Z Item No. 08-435 of September 8, 2008)**

**RESOLUTION NO. R2009-17**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REVOKING IN ITS ENTIRETY CITY OF NORTH MIAMI BEACH RESOLUTION NUMBER R2008-40, WHICH GRANTED SITE PLAN APPROVAL FOR A MIXED USE PROJECT, ON PROPERTY LEGALLY DESCRIBED AS:**

**LOTS 1, 2, 3, 4, AND 5, LEADER SUBDIVISION, PLAT BOOK 82, PAGE 17, AS RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.**

**A/K/A  
17400 W. Dixie Highway  
North Miami Beach, Florida**

**(P&Z Item No. 08-435 of September 8, 2008)**

**WHEREAS**, the Developer/Applicant, Braha Dixie, LLC (Developer) applied to the City of North Miami Beach for approval of a mixed-use office/retail development project called Greynolds Park Place to be located at 17400 West Dixie Highway in the City of North Miami Beach; and

**WHEREAS**, Developer and the City engaged in extensive review and refinement of the project through several meetings with staff, Technical Review & Development (TRAD) meetings, public hearing before the Planning & Zoning Board, and public hearing before the City Council on October 7, 2008, culminating in the grant of site plan approval for the project; and

**WHEREAS**, due to the City's implementation of its recently adopted Land Development Regulation Fee schedule amendments and the ensuing uncertainties, City allowed developer to go forward with the process prior to paying the requisite filing and review fees; and

**WHEREAS**, Developer's outstanding fees currently amounting to \$54,834.00 remain unpaid, despite demands for payment and notice that failure to pay would result in revocation of the site plan approval.

**NOW, THEREFORE,**

**BE IT RESOLVED** by the City Council of the City of North Miami Beach

**Section 1.** The foregoing recitals are true and correct.

**Section 2.** City of North Miami Beach Resolution No. R2008-40 adopted by City Council on October 7, 2008, is hereby revoked in its entirety.

**Section 3.** All approvals granted by Resolution No. 2008-40 are hereby null and void and of no further legal effect.

**Section 4.** The City will not consider any development application for the subject property until the Developer, or his successor or assigns, shall pay the full amount due to the City arising out of the approvals granted in Resolution R-2008-40 to the satisfaction of the City Manager.

**APPROVED AND ADOPTED** by the City of North Miami Beach City Council at the regular meeting assembled this \_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
SOLOMON ODENZ  
CITY CLERK

(CITY SEAL)

\_\_\_\_\_  
RAYMOND F. MARIN  
MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
DARCEE S. SIEGEL  
CITY ATTORNEY

SPONSORED BY: Mayor and Council

**MEMORANDUM**

**TO: MAYOR AND CITY COUNCIL  
CITY CLERK  
CITY MANAGER**

**FROM: DARCEE S. SIEGEL  
CITY ATTORNEY**

**DATE: March 17, 2009**

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**RE: RESOLUTION NO. R2009-18  
Relief from Restrictions on Residential Water Usage**

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,  
URGING THE SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT (SFWMD) TO EASE RESTRICTIONS ON  
RESIDENTIAL WATER USAGE.**

**RESOLUTION NO. R2009-18**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,  
URGING THE SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT (SFWMD) TO EASE RESTRICTIONS ON  
RESIDENTIAL WATER USAGE.**

**WHEREAS**, the South Florida Water Management District (“SFWMD”) has mandated restrictions on the use of water for residential irrigation purposes; and

**WHEREAS**, the current water shortage phase II restrictions, limiting residential irrigation to given hours two days a week, has required an increase in water usage rates in order to equalize revenues and protect utility bond holders; and

**WHEREAS**, maintaining these restrictions places an undue burden on utility customers, as well as having a significant detrimental impact on water utilities and the business community; and

**WHEREAS**, the SFWMD is currently considering the adoption of an administrative rule to make restrictions on residential irrigation permanent as opposed to phased; and

**WHEREAS**, the Mayor and City Council of the City of North Miami Beach, Florida, believe it to be in the best interests of the City’s water utility as well as other South Florida utilities and the local business community to ease the severe twice weekly restrictions; and

**WHEREAS**, the Mayor and City Council of the City of North Miami Beach, Florida, hereby urge the SFWMD to consider the plight of residential customers, especially during difficult economic times, in formulating water use policy.

**WHEREAS**, the City of North Miami Beach, in its water plant expansion program, went to great expense to access and provide alternative water sources in order to serve its customers while maintaining and respecting the integrity of the Biscayne Aquifer.

**NOW, THEREFORE,**

**BE IT RESOLVED** by the City Council of the City of North Miami Beach

**Section 1.** The foregoing recitals are true and correct.

**Section 2.** The Mayor and Council of the City of North Miami Beach, Florida, hereby urge the SFWMD to ease the current restrictions on water usage for residential irrigation

purposes so as to afford much needed relief to residential water customers, as well as to public utilities and the local business community.

**Section 3.** The Mayor and City Council of the City of North Miami Beach, Florida, urge the SFWMD to consider exemptions to the water use restrictions for utilities providing alternative water sources.

**Section 4.** The City Clerk is hereby directed to send a certified copy of this resolution to the South Florida Water Management District.

**APPROVED AND ADOPTED** by the City of North Miami Beach City Council at the regular meeting assembled this \_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
SOLOMON ODENZ  
CITY CLERK

(CITY SEAL)

\_\_\_\_\_  
RAYMOND F. MARIN  
MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
DARCEE S. SIEGEL  
CITY ATTORNEY

SPONSORED BY: Councilman Jay Chernoff  
Mayor and Council

**MEMORANDUM**

**TO: MAYOR AND CITY COUNCIL  
CITY CLERK  
CITY MANAGER**

**FROM: DARCEE S. SIEGEL  
CITY ATTORNEY**

**DATE: March 17, 2009**

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**RE: RESOLUTION NO. R2009-19  
Authorizing Negotiations for Professional Engineering  
Consulting Services**

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI BEACH, FLORIDA,  
AUTHORIZING THE CITY MANAGER TO NEGOTIATE  
AGREEMENTS WITH PISTORINO & ALAM CONSULTING  
ENGINEERS, M.T. CAUSLEY, INC., AND CAP  
GOVERNMENT, FOR PROFESSIONAL ENGINEERING  
CONSULTING SERVICES FOR INSPECTION AND PLAN  
REVIEW; PROVIDING FOR AN EFFECTIVE DATE.**



**CITY OF NORTH MIAMI BEACH  
INTER-OFFICE MEMORANDUM**

Administrative Services Department

RECEIVED  
2009 MAR -9 PM 1:07  
CITY ATTORNEY'S OFFICE  
CITY OF NORTH MIAMI BEACH

**TO:** Kelvin L. Baker, City Manager  
**FROM:** Yves Fontaine, Buyer II  
Administrative Services Department  
**DATE:** March 6, 2009

**RE: RFQ #2009-04, Professional Consultant Engineering Services  
(Inspection and Plan Review)**

I hereby respectfully request the above referenced Request for Qualifications be placed on the Council Agenda for March 17, 2009 for approval of the recommended ranking of these three firms and authorize the City Manager to enter into negotiations with them. The multiple awards will be necessary to accommodate a large volume of buildings inspections and plans reviews that must be completed within a limited timeframe, as required by the Board of Rules and Appeals.

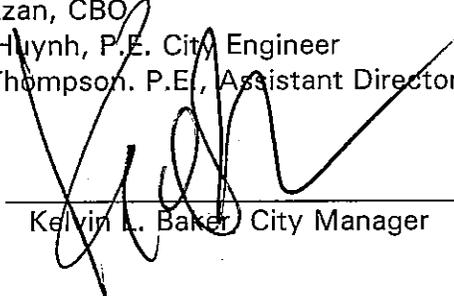
The services are needed to assist in the mitigation effort of approximately five hundred and eleven (511) permits for re-inspections and three thousand (3000) building plans reviews that require re-examination.

The City received twenty-five (25) proposals in response to the Request for Qualifications by the February 18, 2009 deadline. Subsequently, the Building Division along with the City's Registered Engineering Staff formed an Evaluation Committee which reviewed the submittals and have recommended the following ranking:

1. Pistorino & Alam Consulting Engineers
2. M.T. Causley, Inc.
3. CAP Government

Should you approve this item for placement on the Council Agenda, please forward the attached sample agreement to the Legal Department and City Clerk's Office respectively.

cc: Darcee Siegel, City Attorney  
Solomon Odenz, City Clerk  
Roz Weisblum, Assistant City Manager  
Marty King, Director of Public Services  
Phil Azan, CBO  
Hiep Huynh, P.E. City Engineer  
Karl Thompson, P.E., Assistant Director

Approved:   
Kelvin L. Baker, City Manager

Date: \_\_\_\_\_

**RESOLUTION NO. R2009-19**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENTS WITH PISTORINO & ALAM CONSULTING ENGINEERS, M.T. CAUSLEY, INC., AND CAP GOVERNMENT, FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR INSPECTION AND PLAN REVIEW; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of North Miami Beach issued a Request for Proposal #2009-04 for firms interested in providing professional engineering consulting services for building inspections and plan review; and

**WHEREAS**, the City of North Miami Beach received twenty-five proposals by the published deadline; and

**WHEREAS**, due to a large backlog of building inspections and plan reviews, it is necessary to contract with multiple vendors; and

**WHEREAS**, the Public Services Department's Evaluation Committee ranked the three top firms as follows:

1. Pistorino & Alam Consulting Engineers
2. M.T. Causley, Inc.
3. CAP Government

**NOW, THEREFORE,**

**BE IT RESOLVED** by the City Council of the City of North Miami Beach, Florida

**Section 1.** The City Manager is hereby authorized to negotiate with the firms of Pistorino & Alam Consulting Engineers, and M.T. Causley, Inc. and CAP Government, pursuant to the state's Consultants Competitive Negotiations Act, to provide professional engineering consulting services for building inspections and plan review, pursuant to Request for Proposal #2009-04.

**Section 2.** This resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED** by the City of North Miami Beach City Council at the regular meeting assembled this \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
SOLOMON ODENZ  
CITY CLERK

(CITY SEAL)

\_\_\_\_\_  
RAYMOND F. MARIN  
MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
DARCEE S. SIEGEL  
CITY ATTORNEY

SPONSORED BY: Mayor and City Council

**MEMORANDUM**

**TO:           MAYOR AND CITY COUNCIL  
              CITY CLERK  
              CITY MANAGER**

**FROM:       DARCEE S. SIEGEL  
              CITY ATTORNEY**

**DATE:       MARCH 17, 2009**

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**RE:   ORDINANCE NO. 2009-8  
      Responsibility for Maintenance of Distressed Properties**

---

**AN ORDINANCE AMENDING CHAPTER 16, PROPERTY MAINTENANCE, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENACTING SECTION 16-5, DISTRESSED PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

ORDINANCE NO. 2009-8

AN ORDINANCE AMENDING CHAPTER 16, PROPERTY MAINTENANCE, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ENACTING SECTION 16-5, DISTRESSED PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach, along with the rest of the nation, is experiencing an alarming number of residential mortgage foreclosures and otherwise depressed housing conditions; and

WHEREAS, code compliance efforts on distressed properties is causing the City to expend funds in an effort to maintain the health, safety and welfare of our residents and the integrity of our residential neighborhoods; and

WHEREAS, foreclosing lenders, trustees and buyers of distressed properties that do not properly maintain their property to minimum housing standards should be required to post a bond to cover the City's costs for maintenance work performed by City crews or contracted for by the City.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. Chapter 16, Property Maintenance, of the Code of Ordinances of the City of North Miami Beach, Florida, is hereby amended by the enactment of Section 16-5, Distressed Properties, which shall state as follows:

**Section 16-5. Distressed Properties.**

**a. Definitions as used in this section:**

**1. "Abandoned" means a residential property that is vacant or for which there is evidence of vacancy.**

**2. "Compliance", for purposes of this section, means maintaining the property so as to be free of violation of any provision of this chapter in a manner consistent with neighborhood standards.**

**3. "Distressed" means a residential property:**

**(a) that is under current notice of default on a mortgage, deed of trust, contract for sale, or**

similar financing security; a notice of trustee's sale; is the subject of a pending delinquent tax sale; is the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure; or that has been transferred to another under a deed in lieu of foreclosure; and

(b) on which there have been two or more unaddressed violations of Chapter 16 of this Code within a 12-month period.

4. "Evidence of vacancy" means any condition that alone or combined with other conditions present would lead a reasonable person to conclude that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation; the accumulation of newspapers, circulars, flyers door-hangers or mail; past due utility notices or disconnected utilities; the accumulation of trash; the recurrent absence of household waste on collection days for the neighborhood in which the property is located; the absence of window coverings such as curtains, blinds or shutters; the evident absence of furnishings and personal items consistent with residential habitation; or statements by neighbors, delivery agents, or others familiar with the property that the property is vacant.

5. "Neighborhood standards" means those conditions that are present on a simple majority of properties within a 300-foot radius of the subject property. A property that is the subject of a neighborhood standard comparison, or any other abandoned, distressed property within the 300-foot radius, shall not be counted toward the simple majority.

6. "Owner" means any person, partnership, association, corporation, or fiduciary (including a beneficiary or a trustee under a mortgage or deed of trust) having legal or equitable title in or to any real property.

7. "Unaddressed violation" means a violation that was corrected by or through the City and that required the expenditure of City funds.

b. The Director of Code Compliance may order the owner of a property that is abandoned and distressed to post a bond, letter of credit, or escrow deposit in the amount of \$2,500 to secure future compliance for the property. The owner shall post the bond or other security within 30 days after receipt of notice from the Director. In the event the amount of the bond or other security is reduced or depleted for the purpose of bringing the property into compliance after the bond or other security has been posted with the City, the owner shall, within 15 days after notice from the City, provide such additional sums to the bond or other security so as to maintain the amount so secured or posted at the minimum level of \$2,500. Any funds obtained by the City under a bond, letter of credit, or escrow account posted under this section shall be used only for the purpose of bringing the property secured by the bond or other security into compliance, and shall not be part of the City's general fund. If a property for which a bond or other security is provided under this section either:

1. has not had an unaddressed violation within 12-months following the posting of the bond or other security; or
2. is sold or occupied following the posting of the bond or other security; then

the person who posted the bond or other security shall be entitled to the cancellation of the bond or letter of credit, or a refund of the amounts then held for the property in the escrow account, as the case may be.

c. The owner of an abandoned and distressed property shall place a sign on the property as provided in this subsection containing the name and 24-hour contact telephone number of a local property manager or other person designated by the owner to be responsible for the property. The sign shall be no less than 3 inches by 8 inches (3"x 8") and shall contain along with the name and 24-hour contact number the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL" and the loan number, case number or other information by which (in addition to the address) the owner identifies the property. The sign shall be of a durable, weather-resistant material and shall be secured to the front door of the building. The local property manager or other responsible person shall inspect the property on a regular basis to determine if the property is in compliance with the requirements of this Chapter.

**Section 3.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**Section 4.** If any section, subsection, clause or provision of this ordinance is held invalid the remainder shall not be affected by such invalidity.

**Section 5.** It is the intention of the City Council of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish this intention and the word "Ordinance" may be changed to "Section", "Article" or other appropriate word as the codifier may deem fit.

**APPROVED BY TITLE ONLY** on first reading this \_\_\_ day of \_\_\_\_\_, 2009.

**APPROVED AND ADOPTED** on second reading this \_\_\_ day of \_\_\_\_\_, 2009.

**ATTEST:**

\_\_\_\_\_  
**SOLOMON ODENZ**  
**CITY CLERK**  
**(CITY SEAL)**

\_\_\_\_\_  
**RAYMOND F. MARIN**  
**MAYOR**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**DARCEE S. SIEGEL**  
**CITY ATTORNEY**

Sponsored by: Councilwoman Phyllis Smith  
 Mayor & Council

**MEMORANDUM**

**TO:           MAYOR AND CITY COUNCIL  
              CITY CLERK  
              CITY MANAGER**

**FROM:       DARCEE S. SIEGEL  
              CITY ATTORNEY**

**DATE:       ~~MARCH 3, 2009~~**

**MARCH 17, 2009**

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**RE:   ORDINANCE NO. 2009-7  
      Water Supply Plan Comprehensive Plan Amendment**

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**AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO PROVIDE FOR THE STATE MANDATED REQUIREMENTS OF WATER SUPPLY PLANNING AS DESCRIBED IN COMPREHENSIVE PLAN AMENDMENT PACKAGE, (ITEM # 08-439/DCA NO. 09RWSP-1), THAT AMENDS THE FUTURE LAND USE ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENT ELEMENT BY INCORPORATING THE "10-YEAR WATER SUPPLY FACILITIES WORK PLAN"; AUTHORIZING TRANSMITTAL OF THESE ADOPTED AMENDMENTS TO THE AGENCIES REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ORDINANCE NO. 2009-7**

**AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO PROVIDE FOR THE STATE MANDATED REQUIREMENTS OF WATER SUPPLY PLANNING AS DESCRIBED IN COMPREHENSIVE PLAN AMENDMENT PACKAGE, (ITEM # 08-439/DCA NO. 09RWSP-1), THAT AMENDS THE FUTURE LAND USE ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENT ELEMENT BY INCORPORATING THE "10-YEAR WATER SUPPLY FACILITIES WORK PLAN"; AUTHORIZING TRANSMITTAL OF THESE ADOPTED AMENDMENTS TO THE AGENCIES REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the 2005 Florida Legislature enacted legislation with regard to water supply that amended Chapter 163 Florida Statutes and required a new Water Supply Facilities Work Plan be incorporated into the City's Comprehensive Plan; and

WHEREAS, the City wishes to amend the Comprehensive Plan as described in ITEM # 08-439/DCA NO. 09RWSP-1 and in accordance with the requirements of Chapter 163 of the Florida Statutes; and

WHEREAS, the City of North Miami Beach Planning and Zoning Board, as the local Planning Agency, pursuant to Florida Statutes and Florida Administrative Rules, held a duly noticed public hearing on September 8, 2008 at which time it recommended by an affirmative vote of 7-0 that the City of North Miami Beach amend its Comprehensive Plan as described and transmit ITEM # 08-439//DCA NO. 09RWSP-1; and

WHEREAS, the Mayor and Council of the City of North Miami Beach, as the local governing body of the City of North Miami Beach held on October 7, 2008, pursuant to Florida Statutes and Florida Administrative Rules, a duly noticed public hearing at which time it recommended that the City transmit the proposed Comprehensive Plan text amendments, as described in ITEM # 08-439/DCA NO. 09RWSP-1, attached herein by reference; and

WHEREAS, on December 26, 2008, the Florida Department of Community Affairs issued an Objections, Recommendations, and Comments (ORC) Report that raised minor comments with ITEM # 08-439/DCA NO. 09RWSP-1; and

WHEREAS, ITEM # 08-439/DCA NO. 09RWSP-1 has been revised pursuant to the ORC Report recommendations (highlighted in double ~~strike~~through/ underline format); and,

WHEREAS, the City Council believes it is in the best interest of the public to amend the Comprehensive Plan as described in ITEM # 08-439/DCA NO. 09RWSP-1.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach

**Section 1. Findings.** The foregoing "Whereas" clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

**Section 2. Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 3. Inclusion in the Comprehensive Plan.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Comprehensive Plan of the City of North Miami Beach.

**Section 4. Transmittal.** The City Clerk is directed to transmit the adopted amendment to the State of Florida Department of Community Affairs and other agencies as provided under Chapter 163, Part II of the Florida Statutes.

**Section 5. Effective Date.** This Ordinance shall be effective pursuant to Chapter 163 of the Florida Statutes.

APPROVED BY TITLE ONLY on first reading this 3<sup>rd</sup> day of March, 2009.

APPROVED AND ADOPTED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
SOLOMON ODENZ  
CITY CLERK  
(CITY SEAL)

\_\_\_\_\_  
RAYMOND F. MARIN  
MAYOR

APPROVED AS TO FORM

\_\_\_\_\_  
DARCEE SIEGEL  
CITY ATTORNEY

Sponsored by: Mayor and City Council

**TO: Mayor and City Council**  
**FROM: Darcee S. Siegel, City Attorney**  
**DATE: March 17, 2009**

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## LITIGATION LIST

### **I. Wrongful Deaths:**

Graham Donald/Smith Sylvia vs. CNMB  
Wrongful Death

Hernandez, Estate of v. CNMB  
Wrongful Death

Kelly, Estate of v. CNMB  
Wrongful Death

### **II. Civil Rights:**

Mack, Eugene E. v. Loizzo, et al  
Civil Rights Violation/False Arrest

Madura, Maryla vs. CNMB, Antonio Marciante and Tony Sanchez, individually  
Civil Rights Violation/False Arrest

Nelson, Travis v. CNMB, et al  
Civil Rights Violation/False Arrest

Smith, Louis v. John Richard Renaud, NMBPD, & CNMB  
Civil Rights Violation/False Arrest

Torres, Antonio v. CNMB  
Civil Rights Violation/False Arrest

### **III. Personal Injury:**

Donahue, Louise, et al v. CNMB  
Slip & Fall/Personal Injury

Gilmore, Turner and Frances v. CNMB and Christopher C. Sweigart  
Automobile Accident/Personal Injury

Jones, Zettie & Earnest v. CNMB, et al  
Slip & Fall/Personal Injury

Martell, Erlinda vs. CNMB  
Personal Injury

Moy, Christian vs. CNMB  
Automobile Accident/Personal Injury

**IV. Land Use Litigation:**

Donahue, John, et al. v. CNMB, Sol Odenz and Miami-Dade County  
Petition Protest (Height and Density)

State of Florida, Division of Administrative Hearings  
Alvey, Errol and Taylor, Robert v. CNMB  
Comprehensive Plan Challenge

Baron, Charles & Taylor, Robert v. CNMB  
Administrative Zoning Appeal

Builders Association of South Florida (The), et al., v. CNMB  
Declaratory Judgment and Permanent Injunction

**V. Other Litigation:**

Capital One Bank vs. Altiaga and CNMB  
Writ of Garnishment

CACV of Colorado v. Lubin and CNMB  
Writ of Garnishment

Chase Manhattan Bank v. Guiteau and CNMB  
Writ of Garnishment

**VI. Forfeitures:**

CNMB v. Abarca/Tablas/Vazquez-Casimiro/Nunes/Perez/Romero  
Forfeiture

CNMB v. Alonso/Gonzalez  
Forfeiture

CNMB v. Bernadin  
Forfeiture

CNMB v. Camejo  
Forfeiture

CNMB v. Chavez/Hernandez  
Forfeiture

CNMB v. Colon  
Forfeiture

CNMB v. Diaz/Ramirez/Rodriguez  
Forfeiture

CNMB v. Exposito/Leiva/Moore  
Forfeiture

CNMB v. Gedeon  
Forfeiture

CNMB v. Gilles  
Forfeiture

CNMB v. Giordano  
Forfeiture

CNMB v. Goodman  
Forfeiture

CNMB v. Harryton/Cunningham/Furbush  
Forfeiture

CNMB v. Johnson/Murat  
Forfeiture

CNMB v. Jones/Morgan  
Forfeiture

CNMB v. Lassus  
Forfeiture

CNMB v. Maldonado-Diaz  
Forfeiture

CNMB v. Molina/Fernandez  
Forfeiture

CNMB v. Muhammad/Camarioca Auto  
Forfeiture

CNMB v. Mullins/Holmes/Upshaw  
Forfeiture

CNMB v. Noa/Corrales  
Forfeiture

CNMB v. Ottoni/Silva  
Forfeiture

CNMB v. Parra/Martinez  
Forfeiture

CNMB v. Pecina/Portillo/Tango  
Forfeiture

CNMB v. Peoples  
Forfeiture

CNMB v. Perrier  
Forfeiture

CNMB v. Poitier/Jean-Pierre  
Forfeiture

CNMB v. Rodriguez/Pinon  
Forfeiture

CNMB v. Rojas  
Forfeiture

CNMB v. St Hilaire/Mazard/Donaldson  
Forfeiture

CNMB v. Torres, et al  
Forfeiture

CNMB v. Torres, C., et al  
Forfeiture

CNMB v. Turbides/Nicholas/Rincon/Abreu  
Forfeiture

CNMB v. Urena/Rodriguez/Mathieux  
Forfeiture

CNMB v. Virgile  
Forfeiture

Alphera Financial Services v. CNMB  
Replevin

Bennie v. CNMB (Police Department)  
Replevin

Ford Motor Credit Company v. CNMB  
Replevin

**VII. Mortgage Foreclosures:**

Accredited Home Lenders, Inc. v. CNMB (Funes)  
Mortgage Foreclosure

ACT Properties, LLC v. CNMB (Robinson, et al)  
Mortgage Foreclosure

Aegis Mortgage Corp v. CNMB (Galina Pikh)  
Mortgage Foreclosure

Aegis Mortgage Corp v. CNMB (Galina Pikh, et al.)  
Mortgage Foreclosure

Allied Mortgage & Financial Corp. vs. CNMB (Sorota)  
Mortgage Foreclosure

Ameriquet Funding vs. CNMB (Caraballo)  
Mortgage Foreclosure

Argent Mortgage Company v. CNMB (Harmitt)  
Mortgage Foreclosure

Aurora Loan Services, LLC v. CNMB (George)  
Mortgage Foreclosure

Aurora Loan Services, LLC v. CNMB (Gomez, et al)  
Mortgage Foreclosure

Aurora Loan Services, LLC v. CNMB (Hernandez)  
Mortgage Foreclosure

- Aurora Loan Services, LLC v. CNMB (Manser, et al)  
Mortgage Foreclosure
- Aurora Loan Services, LLC. v. CNMB (Rivera, et al)  
Mortgage Foreclosure
- Aurora Loan Services, LLC v. CNMB (Rodriguez, et al)  
Mortgage Foreclosure
- Bank of America v. CNMB (Cedeno, et al)  
Mortgage Foreclosure
- Bank of America v. CNMB (Coffey, et al)  
Mortgage Foreclosure
- Bank of America v. CNMB (Escalante, et al)  
Mortgage Foreclosure
- \* Bank of America v. CNMB (Miller, et al.)  
Mortgage Foreclosure
- Bank of America v. CNMB (Tamir, et al)  
Mortgage Foreclosure
- Bank of New York v. CNMB (Johnson, Nick, et al)  
Mortgage Foreclosure
- Bank of New York v. CNMB (Lima, et al)  
Mortgage Foreclosure
- Baron, Marylin S., et al v. CNMB (Campbell, et al)  
Mortgage Foreclosure
- Bayview Loan Servicing, LLC v. CNMB (Avin)  
Mortgage Foreclosure
- Chase Home Finance LLC v. CNMB (Espinosa)  
Mortgage Foreclosure
- Chase Home Finance LLC v. CNMB (Meisels)  
Mortgage Foreclosure
- Chase Home Finance LLC v. CNMB (Rua, et al)  
Mortgage Foreclosure
- Chevy Chase Bank, F.S.B. v. CNMB (Gonzalez, et al)  
Mortgage Foreclosure
- Citibank, N.A. v. CNMB (Anglade, et al)  
Mortgage Foreclosure
- Citibank, N.A. v. CNMB (Austin, et al)  
Mortgage Foreclosure
- Citifinancial Equity Services, Inc. v. CNMB (Morales)  
Mortgage Foreclosure
- Citimortgage v. CNMB(Anchava)  
Mortgage Foreclosure

Citimortgage v. CNMB (Rivaroli, et al)  
Mortgage Foreclosure

Cong Vo v. CNMB (Perroti, Miranda)  
Action to Quiet Title

Consumers Alliance Corp. v. CNMB (Haronda Realty)  
Action to Quiet Title

Countrywide Home Loans, Inc. vs. CNMB (Gilles)  
Mortgage Foreclosure

Countrywide Home Loans, Inc. v. CNMB (Monroy, et al)  
Mortgage Foreclosure

Countrywide Home Loans v. CNMB (Schmidt, et al)  
Mortgage Foreclosure

Credit Based Asset Servicing v. CNMB (Rojas)  
Mortgage Foreclosure

Credit Based Asset Servicing v. CNMB (Rojas, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Adelson)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Angelillo)  
Mortgage Foreclosure

Deutsche Bank Trust v. CNMB (Barksdale)  
Mortgage Foreclosure

Deutsche Bank Trust v. CNMB (Barksdale)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Bien-Aime, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Calix, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Gonzalez)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Horton, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Johnson)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Liebman)  
Mortgage Foreclosure

Deutsche Bank National. vs. CNMB (Mejia)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Sanchez)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Sierra, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Suhag, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Voltaire, et al)  
Mortgage Foreclosure

**CLOSED/DISMISSED**

Deutsche Bank National v. CNMB (Voltaire, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Watkins, et al)  
Mortgage Foreclosure

Deutsche Bank National v. CNMB (Whittle, et al)  
Mortgage Foreclosure

Eastern Financial v. CNMB (Diaz, et al)  
Mortgage Foreclosure

EMC Mortgage Corp. v. CNMB (Gordon)  
Mortgage Foreclosure

Fiserv ISS & Co., vs. CNMB (Estime)  
Mortgage Foreclosure

Fremont Investment & Loan v. CNMB (Rubes)  
Mortgage Foreclosure

Global Trust v. CNMB (Roth)  
Mortgage Foreclosure

GMAC Mortgage v. CNMB (Calix)  
Mortgage Foreclosure

GMAC Mortgage v. CNMB (Platel, et al)  
Mortgage Foreclosure

Golden Beach (Town of) v. CNMB (Goodman, et al)  
Mortgage Foreclosure

Greenpoint Mortgage v. CNMB (Global Properties Investment et al)  
Mortgage Foreclosure

Happy Home Lending Corp. vs. CNMB (Shon Furman)  
Mortgage Foreclosure

HSBC Bank v. CNMB (Counne)  
Mortgage Foreclosure

\* HSBC Bank v. CNMB (Gamble)  
Mortgage Foreclosure

HSBC Bank v. CNMB (Gomez)  
Mortgage Foreclosure

HSBC Bank v. CNMB (Miranda)  
Mortgage Foreclosure

HSBC Bank, N.A. v. CNMB (Mora)  
Mortgage Foreclosure

HSBC Bank, N.A. v. CNMB (Pinero)  
Mortgage Foreclosure

HSBC Bank v. CNMB (Vidal, et al)  
Mortgage Foreclosure

HSBC Bank, N.A. v. CNMB (Westgate)  
Mortgage Foreclosure

Indymac Federal Bank v. CNMB (Hamami, et al)  
Mortgage Foreclosure

JP Morgan v. CNMB (Abraham)  
Mortgage Foreclosure

\* JP Morgan v. CNMB (Lopez, et al)  
Mortgage Foreclosure

LaSalle Bank v. CNMB (Campbell, et al)  
Mortgage Foreclosure

LaSalle Bank Midwest v. CNMB (Gomez)  
Mortgage Foreclosure

LaSalle Bank, N.A. v. CNMB (Hernandez)  
Mortgage Foreclosure

LaSalle Bank, N.A. v. CNMB (Jean-Baptiste)  
Mortgage Foreclosure

LaSalle Bank National v. CNMB (Rodriguez)  
Mortgage Foreclosure

LaSalle Bank National v. CNMB (Rodriguez)  
Mortgage Foreclosure

Litton Loan Servicing LP v. CNMA (Gonzalez, et al)  
Mortgage Foreclosure

Miami-Dade County v. CNMB (Morrobel)  
Mortgage Foreclosure

Mortgage Electronic Registration System, Inc. vs. CNMB (Miller)  
Mortgage Foreclosure

Mortgage Investment Group v. CNMB (Deliford, et al)  
Mortgage Foreclosure

Nationstar Mortgage LLC f/k/a Centex Home Equity v. CNMB (Hechevarria, et al)  
Mortgage Foreclosure

Novastar Mortgage v. CNMB (Montas)  
Mortgage Foreclosure

Owen Federal Bank v. CNMB (Bain)  
Mortgage Foreclosure

Parklane Equity v. CNMB(Beaubien-Cordon)  
Mortgage Foreclosure

Private Capital Group LLC v. CNMB (Giraldo)  
Mortgage Foreclosure

REO Properties Corporation v. CNMB (Cotto, et al)  
Mortgage Foreclosure

RMS Residential Properties v. CNMB(Heredia)  
Mortgage Foreclosure

Sazant v. CNMB(Pluiose)  
Mortgage Foreclosure

U.S. Bank NA, et al. v. CNMB (Arocho)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Cabrera)  
Mortgage Foreclosure

U.S. Bank N.A. v. CNMB (Gonzalez, et al)  
Mortgage Foreclosure

U.S. Bank N.A. v. CNMB (Gonzalez, J., et al.)  
Mortgage Foreclosure

U.S. Bank N.A. v. CNMB (Hernandez, et al)  
Mortgage Foreclosure

U.S. Bank N.A. v. CNMB (Hernandez, et al)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Island Place Apts., et al)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Jean-Louis)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Jimenez)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Marin)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Martinez)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Maxwell)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Michel)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Mora, et al)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Oratz, et al)  
Mortgage Foreclosure

U.S. Bank N.A. v. CNMB (Perez)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Robinson, et al)  
Mortgage Foreclosure

\* U.S. Bank NA v. CNMB (Suarez, et al.)  
Mortgage Foreclosure

U.S. Bank NA v. CNMB (Whittaker, et al)  
Mortgage Foreclosure

Venice Isle, Inc. v. CNMB (Suhag)  
Claim of Lien Foreclosure

Wachovia Mortgage v. CNMB (Campos)  
Mortgage Foreclosure

Wachovia Mortgage Corp v. CNMB (Diaz)  
Mortgage Foreclosure

Wachovia Bank v. CNMB (Martinez)  
Mortgage Foreclosure

Washington Mutual Bank, F.A. v. CNMB, Sandra T. Porter, et al  
Mortgage Foreclosure

Washington Mutual Bank v. CNMB (Schmidt)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. vs. CNMB (Bojotte, et al)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. vs. CNMB (Bonilla)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. vs. CNMB (Hernandez, et al)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. v. CNMB (Jackson)  
Mortgage Foreclosure

Wells Fargo Bank v. CNMB (Mendez, et al)  
Mortgage Foreclosure

Wells Fargo Bank v. CNMB (Mohr, et al)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. v. CNMB (Torres)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. v. CNMB (Sacco)  
Mortgage Foreclosure

Wells Fargo Bank, N.A. v. CNMB (Rand)  
Mortgage Foreclosure

## **VIII. Bankruptcies:**

Adams, Evrol C.  
American LaFrance LLC  
American Home Mortgage Holdings  
Cimax USA, LLC  
Diversified Displays/Michael Phelan  
Florida Select Insurance  
Kim, Myung Ja  
Porter, Michael and Shanda  
The New Kosher World Bakery  
SMG Entertainment  
South Pointe Family and Children Center  
Sunny Isles Unicenter  
Tweeter Intellectual Property (Sound Advice)  
Vartec Telecom, Inc.  
Verestar, Inc.  
Villaverde, Olga  
WCI Communities, Inc.

\*New Cases