
MINUTES

1. ROLL CALL OF THE CITY OFFICIALS:

MAYOR	MYRON ROSNER, PRESIDING
VICE MAYOR	JOHN PATRICK JULIEN
COUNCILWOMAN	BETH SPIEGEL
COUNCILWOMAN	PHYLLIS S. SMITH
COUNCILMAN	PHILIPPE DEROSE
COUNCILWOMAN	BARBARA KRAMER (EXCUSED W/CAUSE)
COUNCILMAN	FRANTZ PIERRE
CITY MANAGER	KELVIN L. BAKER
CITY ATTORNEY	DARCEE S. SIEGEL
CITY CLERK	SUSAN A. OWENS

2. INVOCATION: RABBI DAVID LEHRFIELD, YOUNG ISRAEL OF GREATER MIAMI

3. SALUTE TO THE AMERICAN FLAG.

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

NONE

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS:

1. COUNCIL LIAISON APPOINTMENTS

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE TO PULL, FOR FURTHER DISCUSSION, THE APPOINTMENT OF THE ECONOMIC DEVELOPMENT COMMISSION AND THE REDEVELOPMENT ADVISORY BOARD LIAISONS AND TO APPOINT THE FOLLOWING COUNCIL LIAISONS TO THE FOLLOWING BOARDS: MOTION CARRIED.

ADVISORY COMMITTEE FOR DISABLED INDIVIDUALS- MAYOR MYRON ROSNER
BEAUTIFICATION COMMITTEE- COUNCILMAN PHILIPPE DEROSE
CIVIL SERVICE BOARD- COUNCILWOMAN BETH E. SPIEGEL

CODE ENFORCEMENT BOARD- COUNCILWOMAN BARBARA KRAMER
COMMISSION ON AGING-SENIOR CITIZENS ADVISORY BOARD- COUNCILWOMAN
PHYLLIS S. SMITH
COMMISSION ON THE STATUS OF WOMEN- VICE MAYOR JOHN PATRICK JULIEN
CULTURAL COMMITTEE- VICE MAYOR JOHN PATRICK JULIEN
LIBRARY BOARD- COUNCILMAN FRANTZ PIERRE
PUBLIC UTILITIES COMMISSION- MAYOR MYRON ROSNER
PLANNING AND ZONING BOARD- VICE MAYOR JOHN PATRICK JULIEN
RECREATION COMMITTEE- COUNCILWOMAN BARBARA KRAMER
GENERAL EMPLOYEES RETIREMENT BOARD- COUNCILMAN FRANTZ PIERRE
AND COUNCILWOMAN BARBARA KRAMER
POLICE OFFICERS AND FIREFIGHTERS RETIREMENT BOARD- VICE MAYOR
JOHN PATRICK JULIEN AND COUNCILWOMAN BETH E. SPIEGEL
YOUTH ADVISORY BOARD- COUNCILMAN FRANTZ PIERRE

*****CLERK'S NOTE: *COUNCILMAN PIERRE TEMPORARILY LEFT THE ROOM******

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN DEROSE TO APPOINT
COUNCILWOMAN PHYLLIS S. SMITH TO THE ECONOMIC DEVELOPMENT COMMISSION.
MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN TO APPOINT MAYOR
MYRON ROSNER TO THE REDEVELOPMENT ADVISORY BOARD. MOTION CARRIED.
WITH COUNCILWOMAN SMITH VOTING IN THE NEGATIVE.

B. PRESENTATIONS:

*****CLERK'S NOTE: *COUNCILMAN PIERRE RETURNED******

1. SWEARING IN OF POLICE OFFICER ANANIAS PIERRE BY MAYOR MYRON ROSNER

SWEARING IN WAS PERFORMED BY MAYOR ROSNER.

2. SWEARING IN OF POLICE OFFICER CHRISTOPHER SMITH BY MAYOR MYRON ROSNER

SWEARING IN WAS PERFORMED BY MAYOR ROSNER.

-
3. PRESENTATION ON TRAFFIC INITIATIVES, STATISTICS, COMPLAINTS AND SPEED HUMP REQUIREMENTS BY SGT. HERBERT (TONY) SANCHEZ

PRESENTATION WAS MADE BY SGT. SANCHEZ.

4. PRESENTATION OF PROCLAMATION BY MAYOR MYRON ROSNER PROCLAIMING JULY 2009 AS PARKS AND RECREATION MONTH.

PRESENTATION WAS MADE BY MAYOR ROSNER.

5. PRESENTATION BY COUNCILMAN PIERRE TO MR. DABOU PASQUET PROCLAIMING JULY 7TH AS MAGNUM BAND DAY.

PRESENTATION WAS MADE BY COUNCILMAN PIERRE.

6. APPROVAL OF MINUTES:

MOTION by COUNCILWOMAN SPIEGEL, seconded by COUNCILMAN DEROSE, to APPROVE THE MINUTES OF JUNE 16, 2009.

MOTION by COUNCILWOMAN SPIEGEL, seconded by COUNCILWOMAN SMITH, to AMEND THE MINUTES OF JUNE 16, 2009 BY ADDING "MOTION CARRIED" TO THE END OF THE FOURTH ACTION LISTED ON PAGE 12 TO REFLECT THE VOTE TAKEN, AND TO APPROVE AS AMENDED THE MINUTES OF JUNE 16, 2009. MOTION CARRIED.

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

- A. REQUEST APPROVAL FOR EXPENDITURE OF \$375,000.00 FROM THE FEDERAL JUSTICE LAW ENFORCEMENT TRUST FUND AND \$113,000.00 FROM THE STATE/LOCAL LAW ENFORCEMENT TRUST FUND (POLICE CHIEF RAFAEL P. HERNANDEZ).

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH, to APPROVE AN EXPENDITURE OF \$375,000.00 FROM THE FEDERAL JUSTICE LAW ENFORCEMENT TRUST FUND AND \$113,000.00 FROM THE STATE/LOCAL LAW ENFORCEMENT TRUST FUND. MOTION CARRIED.

(CNMB-CC MINUTES TAPE #422)

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

- A. THE CITY ATTORNEY STATED THAT YESTERDAY THE CITY WAS SERVED WITH A FEDERAL LAWSUIT INVOLVING THE CITY'S WATER PLANT ON A BREACH OF CONTRACT. IT WILL TAKE US AWHILE TO DEAL WITH. THE CITY ATTORNEY STATED THAT SHE JUST WANTED TO BRING IT TO THE COUNCIL'S ATTENTION; IT'S NOT ON THE LITIGATION LIST AS OF YET. WE'VE BEEN WORKING ON THIS FOR A LONG TIME. THERE ARE SMALL AMOUNTS OF MONIES THAT ARE DUE. WE HAVE A LOT OF DEFENSES. THEY ARE CLAIMING WE BREACHED THE CONTRACT. IN FACT IT IS THE CITY'S OPINION THAT THEY IN FACT BREACHED IT FOR VARIOUS REASONS. THE CITY ATTORNEY STATED THAT SHE JUST WANTED TO BRING IT TO THE COUNCIL'S ATTENTION THAT THE CITY IS GOING TO BE FIGHTING THAT PARTICULAR LAWSUIT, AND THAT SHE WILL BRING THE COUNCIL UP TO DATE AS TIME GOES ON AS TO WHERE WE ARE WITH IT.

MAYOR ROSNER ASKED HOW MUCH MONEY WE ARE TALKING ABOUT. THE CITY ATTORNEY STATED THAT THE CONTRACT WAS FOR \$37 MILLION. THE LAWSUIT IS IN FEDERAL COURT BECAUSE THE COMPANY, POOLE AND KENT, IS OUT OF MARYLAND SO THERE IS A DIVERSITY QUESTION, WHICH MEANS WHEN YOU HAVE TWO PARTIES FROM DIFFERENT STATES THEY HAVE A RIGHT THEN TO GO INTO FEDERAL COURT, AND THAT'S WHAT THEY HAVE DONE. THEY ARE ASKING FOR IN EXCESS OF \$15 MILLION FOR THEIR LAWSUIT.

COUNCILWOMAN SMITH STATED THAT THAT WAS SUBSTANTIAL. MAYOR ROSNER ASKED THE CITY ATTORNEY IF SHE WAS GOING TO COME BACK WITH A REPORT. THE CITY ATTORNEY STATED THAT FROM TIME TO TIME SHE WILL KEEP THE COUNCIL UP TO DATE. THE CITY ATTORNEY STATED THAT WE DO HAVE AT EACH COUNCIL MEETING, SHE DOES INFORM THE COUNCIL AS TO HER REPORT AND SHE WILL INCLUDE THAT AS TIME GOES ON AND LET THE COUNCIL KNOW WHERE WE STAND ON THAT PARTICULAR LAWSUIT.

(CNMB-CC MINUTES TAPE #422)

9. **PUBLIC COMMENT:**

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

RE: UPCOMING COMMUNITY BUSINESS EXPO, WATER SUPPLY AND WATER CONSERVATION SURCHARGE, PAYING FOR PARKS, AND HIGH SPEED RAIL.

- B. BERT KEHREN
3302 N.E. 171 STREET
NORTH MIAMI BEACH, FL.

RE: ELECTION SIGNS, COUNCIL INSURANCE BENEFITS, CITY MANAGER, TRAFFIC IN EASTERN SHORES, TAXES AND WATER RATE, MOVING CITY ELECTION DATE FORWARD, AND BROKEN LIGHTS NOT BEING REPAIRED BY FP&L.

- C. RICHARD RIESS
23 N.W. 169 ST
NORTH MIAMI BEACH, FL

RE: SPOKE IN OPPOSITION OF RESOLUTION R2009-41.

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

RE: NEW PUBLIC COMMENT FORMAT AND MARINA GRANDE.

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

RE: CITY'S RECYCLING PROGRAM, BUDGET, APPRECIATING EMPLOYEES AND NOT USING THEM AS COST-CUTTING MEASURES, KEEPING AGENDA ITEMS SIMPLE, AND PUBLIC COMMENT TIME LIMITS.

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.

13B. **LEGISLATION:**

RESOLUTIONS (SERIATIM NO. R2009-46):

RESOLUTION NO. R2009-41, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING A CONSORTIUM AGREEMENT BETWEEN THE CITY OF NORTH MIAMI BEACH AND S.T.E.P.S. IN THE RIGHT DIRECTION, INC., A NON-PROFIT ORGANIZATION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) IN RESPONSE TO THE NOTICE OF FUNDING AVAILABILITY FOR NEIGHBORHOOD STABILIZATION PROGRAM 2 FEDERAL FUNDS; APPROVING THE RECOMMENDED ACTIVITIES AS AUTHORIZED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 DESCRIBED AS SOFT SECOND MORTGAGES, ACQUISITION AND REHABILITATION OF SINGLE-FAMILY RESIDENTIAL PROPERTIES, DEMOLITION OF BLIGHTED STRUCTURES, AND ENERGY CONSERVATION", was introduced by MOTION of COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN, to ADOPT RESOLUTION NO. R2009-41. MOTION CARRIED.
WITH COUNCILMAN PIERRE VOTING IN THE NEGATIVE.

Name of Party (ies) Appearing:

1. RICHARD RIESS (spoke on this item under Public Comment)
23 N.W. 169 Street
North Miami Beach, FL

-
2. MUBARAK KAZAN
15564 N.E. 12 Avenue
North Miami Beach, FL
 3. MICHAEL SALEM, S.T.E.P.S. in the Right Direction Executive Director
6363 Gage Place
Miami Lakes, FL
 4. ROBERT NIX, City of North Miami Beach Community Development Director
17011 N.E. 19 Avenue
North Miami Beach, FL
-

RESOLUTION NO. R2009-42, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PASTAL ENTERPRISES, INCORPORATED FOR THE DEVELOPMENT AND OPERATIONS OF FOOD/CAFÉ AND BEVERAGE SERVICES IN THE CITY OF NORTH MIAMI BEACH CITY HALL FACILITIES, INCLUDING THE JULIUS LITTMAN PERFORMING ARTS THEATER AND VICTORY PARK POOLSIDE AREA", was introduced by MOTION of VICE MAYOR JULIEN, seconded by COUNCILWOMAN SPIEGEL. MOTION CARRIED.

*****CLERK'S NOTE: MAYOR ROSNER TEMPORARILY LEFT THE ROOM AND HANDED THE CHAIR OVER TO VICE MAYOR JULIEN*****

MOTION by COUNCILMAN PIERRE, seconded by COUNCILWOMAN SMITH, to ADOPT RESOLUTION NO. R2009-42. MOTION CARRIED.

Name of Party (ies) Appearing:

1. MUBARAK KAZAN
15564 N.E. 12 Avenue
North Miami Beach, FL
 2. CHARLES LOEB
16800 N.E. 15 Avenue
North Miami Beach, FL
-

-
3. LISA PROLOWITZ, Owner of Pastal Enterprises, Incorporated
914 S.W. 3 Street
Boca Raton, FL
 4. BRIAN O'CONNOR, City of North Miami Beach Chief Procurement Officer
17011 N.E. 19 Avenue
North Miami Beach, FL
-

RESOLUTION NO. R2009-43, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, PROVIDING THAT NO SERVICES, LICENSING OR PROCESSING BE PERFORMED BY ANY DEPARTMENT OR EMPLOYEE OF THE CITY UNLESS THE RECIPIENT/APPLICANT OF SAID SERVICES/LICENSING/PROCESSING HAS FIRST PAID ALL FEES REQUIRED IN CONNECTION THEREWITH", was introduced by MOTION of COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE. MOTION CARRIED.

*****CLERK'S NOTE: MAYOR ROSNER RETURNED AND RESUMED THE CHAIR*****

MOTION by COUNCILMAN PIERRE, seconded by COUNCILWOMAN SMITH, to ADOPT RESOLUTION NO. R2009-43.

MOTION by COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN, to AMEND LINE 6 OF THE HEADER OF RESOLUTION NO. R2009-43 TO READ "UNTIL UNLESS THE RECIPIENT/APPLICANT...", AND TO APPROVE AS AMENDED RESOLUTION NO. R2009-43. MOTION CARRIED.

RESOLUTION NO. R2009-44, entitled "A RESOLUTION ESTABLISHING POLICY AND PROCEDURES FOR THE APPOINTMENT BY CITY COUNCIL OF MEMBERS TO THE CODE ENFORCEMENT BOARD, THE PLANNING AND ZONING BOARD AND THE PUBLIC UTILITIES COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA", was introduced by MOTION of COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE. MOTION CARRIED.

MOTION by COUNCILMAN PIERRE, seconded by VICE MAYOR JULIEN, to ADOPT RESOLUTION NO. R2009-44. MOTION CARRIED.
WITH VICE MAYOR JULIEN VOTING IN THE NEGATIVE.

RESOLUTION NO. R2009-45, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE APPLICATION FOR A GRANT FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM", was introduced by MOTION of COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE, to ADOPT RESOLUTION NO. R2009-45. MOTION CARRIED.

*****CLERK'S NOTE: COUNCILMAN PIERRE TEMPORARILY LEFT THE ROOM BEFORE THE FINAL VOTE WAS TAKEN*****

ORDINANCES - FIRST READING, BY TITLE ONLY:
(SERIATIM NO. 2009-16)

ORDINANCE NO. 2009-13, entitled "AN ORDINANCE AMENDING CHAPTER II STRUCTURE OF CITY GOVERNMENT, ARTICLE VII BOARDS, COMMITTEES AND COMMISSIONS SECTION 2-49 ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; AMENDING AND REVISING THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was introduced by MOTION of COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN ON ITS FIRST READING BY TITLE ONLY. MOTION CARRIED.

*****CLERK'S NOTE: COUNCILMAN PIERRE RETURNED*****

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE, to ADOPT ORDINANCE NO. 2009-13 ON ITS FIRST READING BY TITLE ONLY.

MOTION by COUNCILWOMAN SMITH, seconded by COUNCILMAN DEROSE, to AMEND ORDINANCE NO. 2009-13 ON ITS FIRST READING BY TITLE ONLY, BY CHANGING THE PROPOSED LANGUAGE IN SECTION 2-49.3 TO REFLECT THAT A QUORUM SHALL BE 50% PLUS 1 OF THE NUMBER OF APPOINTEES, BY CHANGING THE PROPOSED LANGUAGE IN SECTION 2-49.7 TO ALLOW APPOINTEES TO "own or manage commercial property in the City or have and maintain an business tax receipt...", AND BY ADDING TO SECTION 2-49.8, "j. To communicate with City residents and neighboring cities current business programs and opportunities for future business programs and events.", AND TO APPROVE AS AMENDED ORDINANCE NO. 2009-13 ON ITS FIRST READING BY TITLE ONLY. MOTION CARRIED.

ORDINANCE NO. 2009-15, entitled "AN ORDINANCE AMENDING SECTION 24-147.2(D) POLITICAL SIGNS OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; ELIMINATING POSTER SIGNAGE; LIMITING TIME SIGNS MAY BE DISPLAYED; INCREASING BOND SECURING REMOVAL OF SIGNS; REGULATING PLACEMENT OF SIGNS; MAKING THE CODE ENFORCEMENT BOARD RESPONSIBLE FOR VIOLATIONS OF THIS SECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was introduced BY MOTION of COUNCILMAN DEROSE, seconded by VICE MAYOR JULIEN ON ITS FIRST READING BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH, to ADOPT ORDINANCE NO. 2009-15 ON ITS FIRST READING BY TITLE ONLY.

MOTION by COUNCILMAN PIERRE, seconded by VICE MAYOR JULIEN, to AMEND ORDINANCE NO. 2009-15 BY DELETING IN IT'S ENTIRETY THE PROPOSED CODE SUBSECTION (D)(1)(b)3. REQUIRING AFFIDAVITS, TO EXTEND THE DATE OF INSTALLATION OF POLITICAL SIGNS TO 90 DAYS BEFORE THE ELECTION, AND TO INCREASE THE PROPOSED SIZE LIMIT OF NON-RESIDENTIAL SIGNS TO SIXTEEN (16) SQUARE FEET.

After much discussion COUNCILMAN PIERRE WITHDREW HIS MOTION and VICE MAYOR JULIEN WITHDREW HIS SECOND.

MOTION by COUNCILWOMAN SPIEGEL, seconded by VICE MAYOR JULIEN, to DIRECT THE CITY ATTORNEY TO REDRAFT ORDINANCE NO. 2009-15 TO INCLUDE THE AMENDMENTS DISCUSSED AND TO BRING IT BACK FOR FIRST READING AT THE JULY 21, 2009 CITY COUNCIL MEETING.

Motion was WITHDRAWN by COUNCILWOMAN SPIEGEL and VICE MAYOR JULIEN WITHDREW HIS SECOND.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILMAN PIERRE, to AMEND ORDINANCE NO. 2009-15 ON ITS FIRST READING BY TITLE ONLY, TO REFLECT THE FOLLOWING:

1. DOUBLE-SIDED SIGNS THAT ARE MOUNTED BACK-TO-BACK ARE TO BE COUNTED AS ONE (1) SIGN.
2. RESIDENTIAL CORNER LOTS MAY HAVE UP TO TWO (2) SIGNS PER CANDIDATE.
3. SIGNS CANNOT BLOCK THE VISION OF TRAFFIC AND MAY NOT BE PLACED WITHIN A TO BE DETERMINED DISTANCE FROM THE RIGHT-OF-WAY

(ATTORNEY TO RESEARCH FURTHER).

4. NON-RESIDENTIAL SIGNS CANNOT EXCEED 16 SQUARE FEET.
5. THE BID BOND WILL BE SET AT \$250.00.
6. CANDIDATES WILL BE LIMITED TO 25 NON-RESIDENTIAL SIGNS CITYWIDE.
7. THERE WILL BE NO AFFIDAVIT REQUIREMENT FOR CANDIDATES.
8. SIGNS MAY NOT BE INSTALLED BEFORE FEBRUARY 1ST.
9. FORFEITURE OF THE BOND WILL NOT OCCUR IF ACCESS TO THE SIGN IN VIOLATION IS RESTRICTED.
10. CANDIDATES MUST PAY ANY OUTSTANDING FINES FOR SIGN VIOLATIONS BEFORE QUALIFYING TO RUN IN ANY FUTURE CITY ELECTION.

AND TO APPROVE AS AMENDED ORDINANCE NO. 2009-15 ON ITS FIRST READING BY TITLE ONLY. MOTION CARRIED, WITH VICE MAYOR JULIEN VOTING IN THE NEGATIVE.

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2009-12 entitled "AN ORDINANCE AMENDING CHAPTER II STRUCTURE OF CITY GOVERNMENT, ARTICLE VII BOARDS, COMMITTEES AND COMMISSIONS OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA; DELETING IN ITS ENTIRETY SECTION 2-41 CARIBBEAN AFFAIRS COMMITTEE; DELETING IN ITS ENTIRETY SECTION 2-51 LATIN AFFAIRS COMMITTEE; AMENDING AND EXPANDING SECTION 2-48 CULTURAL COMMITTEE TO PROMOTE ALL CULTURAL GROUPS IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was introduced BY MOTION of COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH ON ITS SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN PIERRE, seconded by COUNCILWOMAN SMITH, to ADOPT ORDINANCE NO. 2009-12 ON ITS SECOND AND FINAL READING. MOTION CARRIED.

Name of Party (ies) Appearing:

1. MUBARAK KAZAN
15564 N.E. 12 Avenue
North Miami Beach, FL

ORDINANCE NO. 2009-14 entitled "AN ORDINANCE AMENDING CHAPTER XV FIRE PREVENTION OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, BY THE DELETION IN ITS ENTIRETY OF SECTION 15-3 STATIONARY ENGINEERS, OPERATORS AND FIREMEN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE", was introduced BY MOTION of COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH ON ITS SECOND AND FINAL READING. MOTION CARRIED.

MOTION by COUNCILMAN DEROSE, seconded by COUNCILWOMAN SMITH, to ADOPT ORDINANCE NO. 2009-14 ON ITS SECOND AND FINAL READING. MOTION CARRIED.

14. CITY COUNCIL COMMITTEE REPORTS:

A. COUNCILWOMAN SPIEGEL'S REPORT:

1. COUNCILWOMAN SPIEGEL STATED THAT THERE IS A CAB DRIVER SOMEWHERE OUT HERE WHO DESERVES A GREAT VOTE OF THANKS. I WOULD LIKE HIM TO KNOW THAT IT WAS TRULY APPRECIATED THAT HE TOOK THE TIME AFTER HE DROPPED OFF HIS OBVIOUSLY INEBRIATED FARE TO STOP BY THE POLICE OFFICER WORKING THE GUARD GATE AT EASTERN SHORES AND WARN HIM THAT THIS VERY DRUNK INDIVIDUAL WAS GOING TO BE DRIVING. THE POLICE OFFICER WAS ABLE TO STOP THAT DRUNK DRIVER. SO WHOEVER THAT CAB DRIVER IS, THANK YOU VERY MUCH. I WOULD HOPE THAT EVERYBODY WOULD BE THAT ALERT AND THAT HELPFUL.
2. COUNCILWOMAN SPIEGEL WISHED EVERYONE A GOOD NIGHT AND A GOOD TWO WEEKS AND SHE APOLOGIZED FOR NOT WISHING EVERYBODY A HAPPY FOURTH OF JULY LAST TIME WHEN WE WERE MEETING.

(CNMB-CC MINUTES TAPE #422)

B. COUNCILWOMAN SMITH'S REPORT:

1. COUNCILWOMAN SMITH ASKED EVERYONE TO STAY TUNED TO OUR TELEVISION STATION. WE ARE PUTTING MORE AND MORE ACTIVITIES ON IT, SO PLEASE STAY TUNED TO CHANNEL 77. GO INTO OUR WEBSITE TO SEE WHAT'S HAPPENING IN OUR CITY. WE'RE

BUILDING IT UP EVERYDAY MORE AND MORE.

2. COUNCILWOMAN SMITH WISHED HER BROTHER JACK A HAPPY BIRTHDAY. COUNCILWOMAN SMITH THANKED EVERYONE AND WISHED THEM A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #422)

C. COUNCILMAN DEROSE'S REPORT:

1. COUNCILMAN DEROSE STATED THAT THE BEAUTIFICATION COMMITTEE WILL HAVE THE ANNUAL ARBOR DAY ON JULY 19TH, AT 9:30 A.M., ON THE BACK OF THE McDONALD CENTER. WE WILL WORK IN CONJUNCTION WITH METRO DADE, AND THEY WILL GIVE AWAY TREES. COUNCILMAN DEROSE ENCOURAGED CITIZENS TO JOIN US AND COME GET A TREE. TREES ARE GOOD, THEY PROTECT OUR ENVIRONMENT. COME GET A TREE.
2. COUNCILMAN DEROSE WISHED EVERYONE GOOD NIGHT.

(CNMB-CC MINUTES TAPE #422)

D. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE WISHED EVERYONE A HAPPY SUMMER AND REMINDED THEM TO STAY SAFE. COUNCILMAN PIERRE STATED THAT HE LOVED EVERYONE.

(CNMB-CC MINUTES TAPE #422)

E. VICE MAYOR JULIEN'S REPORT:

1. VICE MAYOR JULIEN WAVED GOOD NIGHT.

(CNMB-CC MINUTES TAPE #422)

F. MAYOR ROSNER'S REPORT:

1. MAYOR ROSNER WISHED EVERYBODY A GOOD NIGHT AND INDICATED THAT THE NEXT MEETING WILL BE TUESDAY JULY 21ST. MAYOR ROSNER ASKED EVERYONE TO STAY TUNED.

(CNMB-CC MINUTES TAPE #422)

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 11:58 P.M. ON A MOTION BY COUNCILWOMAN SMITH AND SECONDED BY COUNCILMAN PIERRE. MOTION CARRIED.

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 FOURTEEN (14) 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 SEVENTH (7) DAY OF JULY, 2009.

(SEAL)

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