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MINUTES

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1. ROLL CALL OF THE CITY OFFICIALS:

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

CITY MANAGER	KEVEN R. KLOPP
CITY ATTORNEY	HOWARD B. LENARD
CITY CLERK	SOLOMON ODENZ

2. INVOCATION: REVEREND CANON RONALD N. FOX
ST. BERNARD DeCLAIRVAUX EPISCOPAL CHURCH.

3. SALUTE TO THE AMERICAN FLAG.

“A MOMENT OF SILENCE”

AT THIS TIME, THERE WAS A MOMENT OF SILENCE FOR DETECTIVE JAMES WALKER, CITY OF MIAMI POLICE OFFICER, AND SYLVIA AND BERNIE CITRON, CITY RESIDENTS AND ACTIVISTS.

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

WITHDRAWAL - ITEM #9 (A) SCHEDULED CITIZENS APPEARANCE.

5. APPOINTMENTS/PRESENTATIONS:

A. APPOINTMENTS

NONE

MOTION by VICE MAYOR JULIEN seconded by COUNCILWOMAN SMITH TO GO OUT OF THE REGULAR ORDER OF BUSINESS AND DEFER ITEM 5(B) UNTIL LATER (SEE PAGE 4).

MOTION CARRIED.

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)

THE CITY CLERK ADMINISTERED THE OATH.

13B. LEGISLATION:

RESOLUTIONS (SERIATIM NO. R2008-3):

RESOLUTION NO. R2008-1, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING SITE PLAN APPROVAL, IN ORDER TO CONSTRUCT A 3,384 SQUARE FOOT SECOND FLOOR ADDITION TO AN EXISTING 16,630 SQUARE FOOT ONE STORY OFFICE BUILDING, ON A 27,904 SQUARE FOOT PARCEL OF LAND, AS PROPOSED; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-51(D)(3) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE ALL OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF TWENTY-FIVE (25) FEET, AND INSTEAD EXTEND UP TO THIRTEEN (13) FEET INTO THE CITY-OWNED PUBLIC RIGHT-OF-WAY, IN ORDER TO CONSTRUCT AN ENTRY VESTIBULE AND TO ADD AWNINGS TO PROPOSED STOREFRONT WINDOWS, WHERE EXISTING ONE-STORY BUILDING PROVIDES NO FRONT YARD SETBACK; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-51(D)(3) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE TWENTY (20) FEET OF THE MINIMUM REQUIRED FRONT YARD SETBACK OF TWENTY-FIVE (25) FEET FOR THE SECOND FLOOR ADDITION, WHERE FRONT YARD SETBACK FOR THE SECOND FLOOR ADDITION OF FIVE (5) FEET IS PROPOSED, WHERE EXISTING ONE STORY BUILDING PROVIDES NO FRONT YARD SETBACK; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-51(D) (7) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO EXCEED BY AN ADDITIONAL 3,384 SQUARE FEET THE MAXIMUM PERMITTED FLOOR AREA OF 4,000 SQUARE FEET, WHERE EXISTING 16,630 SQUARE FOOT BUILDING IS LEGAL NON-CONFORMING AND TOTAL BUILDING SIZE WITH THE PROPOSED ADDITION WOULD BE 20,014 SQUARE FEET; AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-95(B) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE ELEVEN (11) PARKING SPACES OF THE MINIMUM REQUIRED SIXTY (60) VEHICULAR PARKING SPACES, WHERE PROVISION OF FORTY-NINE (49) PARKING SPACES IS PROPOSED, EXCLUDING THE ADJACENT THIRTY-FIVE (35) SPACE PUBLIC PARKING LOT); AND

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA GRANTING A VARIANCE FROM SECTION 24-97 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE TWO (2) OF THE TWO (2) MINIMUM REQUIRED VEHICULAR LOADING SPACES, WHERE NO PROVISION OF VEHICULAR LOADING SPACES IS PROPOSED, ON PROPERTY LEGALLY DESCRIBED AS:

13B. LEGISLATION (CONTINUED):

RESOLUTIONS (CONTINUED):

RESOLUTION NO. R2008-1 (CONTINUED):

LOTS 1 THROUGH 5, BLOCK 5 OF A SUBDIVISION OF A PORTION OF TRACT "A", GREYNOLDS PARK GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 55, PAGE 57 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A/K/A

17071 WEST DIXIE HIGHWAY

NORTH MIAMI BEACH, FLORIDA

(P&Z ITEM NO. 07-424 OF DECEMBER 10, 2007)" was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER.

MOTION CARRIED.

MOTION by COUNCILMAN ROSNER, seconded by VICE MAYOR JULIEN, to AMEND RESOLUTION NO. R2008-1, THAT THE CITY MANAGER FIGURE OUT A PROPORTIONATE SHARE OF THE MAINTENANCE ON THE PARKING FACILITY. (*STIPULATION: THAT THE OWNER OF THE PROPERTY IS GOING TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE PARKING LOT FOR ONE (1) YEAR ONLY). (SEE PAGE 4)

MOTION WITHDRAWN.

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN PIERRE, to AMEND RESOLUTION NO. R2008-1, THAT AVENTURA BE EXCLUDED FROM THE SIGNAGE AND NORTH MIAMI BEACH BE INCLUDED IN THE NAME OF THE BUILDING OR SOMEWHERE ON THE BUILDING. (*STIPULATION: ANY FUTURE SIGNAGE TO CONTAIN THE WORDS NORTH MIAMI BEACH OR "NMB"). (SEE PAGE 4)

MOTION WITHDRAWN.

MOTION by COUNCILMAN ROSNER, seconded by VICE MAYOR JULIEN, to AMEND RESOLUTION NO. R2008-1, THAT THERE BE A VOLUNTARY CONTRIBUTION OF \$50,000 TO THE ARTHUR SNYDER TENNIS CENTER.

MOTION WITHDRAWN.

MOTION by COUNCILMAN ROSNER, seconded by VICE MAYOR JULIEN, to AMEND RESOLUTION NO. R2008-1, THAT NO FUNDS FROM THE CRA BE INCLUDED, OR REQUESTED BY APPLICANT.

MOTION WITHDRAWN.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT RESOLUTION NO. R2008-1.

MOTION CARRIED.

BY THE FOLLOWING ROLL CALL VOTE:

VICE MAYOR JULIEN	YES	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES
COUNCILMAN CHERNOFF	YES	0 NO)
COUNCILMAN PIERRE	YES	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

13B. LEGISLATION (CONTINUED):

RESOLUTIONS (CONTINUED):

RESOLUTION NO. R2008-1 (CONTINUED):

* A STIPULATION WAS MADE THAT THE OWNER OF THE PROPERTY IS GOING TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE PARKING LOT FOR ONE (1) YEAR ONLY, AND ANY FUTURE SIGNAGE TO CONTAIN THE WORDS NORTH MIAMI BEACH OR "NMB".

Name of Party(ies) Appearing:

- | | |
|--|---|
| 1. Alan Rosenthal, Attorney
2895 N.E. 191 Street, #500
Aventura, FL. | 4. Marvin Diaz-Lacayo
18005 N.E. 19 Avenue
North Miami Beach, FL. |
| 2. Robert Taylor
1951 N.E. 157 Terrace
North Miami Beach, FL. | 5. Alan Macken
17017 West Dixie Highway
North Miami Beach, FL. |
| 3. Hank Berg
17017-31 West Dixie Highway
North Miami Beach, FL. | |

MOTION by COUNCILMAN CHERNOFF seconded by VICE MAYOR JULIEN TO GO BACK TO THE REGULAR ORDER OF BUSINESS ON THE AGENDA. MOTION CARRIED.

5. APPOINTMENTS/PRESENTATIONS (CONTINUED):

B. PRESENTATIONS

1. SWEARING IN OF THE NEW CHIEF OF POLICE, RAFAEL P. HERNANDEZ JR., BY MAYOR RAYMOND F. MARIN.

MAYOR MARIN ADMINISTERED THE OATH OF OFFICE TO THE NEW CHIEF OF POLICE, RAFAEL P. HERNANDEZ, JR.

6. APPROVAL OF MINUTES OF DECEMBER 18, 2007, AND JANUARY 1, 2008 (CANCELLED).

MOTION by VICE MAYOR JULIEN, seconded by COUNCILWOMAN SMITH, to APPROVE THE MINUTES OF DECEMBER 18, 2007 AND JANUARY 1, 2008 (CANCELLED).

MOTION CARRIED.

7. **CITY MANAGER'S REPORT - KEVEN R. KLOPP:**

THE CITY MANAGER WAIVED HIS REPORT.

(CNMB-CC MINUTES TAPE #387)

8. **CITY ATTORNEY'S REPORT - HOWARD B. LENARD:**

THE CITY ATTORNEY WAIVED HIS REPORT.

(CNMB-CC MINUTES TAPE #387)

9. **SCHEDULED CITIZENS APPEARANCE:**

A. RICHARD REISS
23 N.W. 169 STREET
NORTH MIAMI BEACH, FL.

RE: DISTORTING FUNDAMENTAL TRUTHS.

WITHDRAWN AT THE REQUEST OF THE APPLICANT.

10. **MISCELLANEOUS ITEMS:**

NONE

11. **WAIVER OF FEE:**

NONE

12. **BUSINESS TAX RECEIPT MATTERS - CITY CLERK:**

NONE

13B. **LEGISLATION (CONTINUED):**

RESOLUTIONS (CONTINUED):

RESOLUTION NO. R2008-2, entitled "A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2008 LEGISLATIVE SESSION ", was introduced by MOTION of COUNCILMAN ROSNER, seconded by COUNCILMAN CHERNOFF. MOTION CARRIED.

13B. LEGISLATION (CONTINUED):

RESOLUTION NO. R2008-2 (CONTINUED):

MOTION by COUNCILMAN ROSNER, seconded by COUNCILMAN CHERNOFF, to ADOPT RESOLUTION NO. R2008-2. MOTION CARRIED.

ORDINANCES - FIRST READING, BY TITLE ONLY:

(SERIATIM NO. 2008-4)

ORDINANCE NO. 2008-1, entitled "AN ORDINANCE AMENDING SECTION 17-8 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH REVISING THE FEES SCHEDULE FOR THE USE OF VICTORY PARK SWIMMING POOL; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE, was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER on its FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-1, on its FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

WITH COUNCILMAN PIERRE VOTING IN THE NEGATIVE.

ORDINANCE NO. 2008-2, entitled "AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH'S RETIREMENT PLAN FOR GENERAL EMPLOYEES; ADDING A PROVISION PERMITTING PLAN MEMBERS TO PURCHASE CREDITED SERVICE UP TO A MAXIMUM OF FOUR ADDITIONAL YEARS WITHOUT ANY MILITARY SERVICE OR OTHER PRIOR GOVERNMENT SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE", was introduced by MOTION OF COUNCILMAN CHERNOFF, seconded by VICE MAYOR JULIEN on its FIRST READING, BY TITLE ONLY. MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-2 on its FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

13B. LEGISLATION (CONTINUED):

ORDINANCES - FIRST READING, BY TITLE ONLY (CONTINUED):

ORDINANCE NO. 2008-3, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH RETIREMENT PLAN FOR POLICE OFFICERS AND FIREFIGHTERS; AMENDING ARTICLE VI TO EXTEND THE TOTAL PERMITTED YEARS OF PARTICIPATION IN THE DEFERRED RETIREMENT OPTION PLAN (DROP) FROM FIVE (5) YEARS TO EIGHT (8) YEARS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.", was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER on its FIRST READING, BY TITLE ONLY.
MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2008-3 on its FIRST READING, BY TITLE ONLY.

MOTION CARRIED.

ORDINANCES - SECOND AND FINAL READING:

ORDINANCE NO. 2007-13, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING A NEW CHAPTER OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO BE CALLED "THE NORTH MIAMI BEACH DANGEROUS INTERSECTION SAFETY ACT;" PROVIDING FOR INTENT AND DEFINITIONS; ESTABLISHING AN ENFORCEMENT PROGRAM WITHIN THE CITY; AUTHORIZING THE CITY TO PERMIT AND IMPLEMENT THE USE OF UNMANNED CAMERAS/MONITORING DEVICES FOR RED LIGHT INFRACTIONS; PROVIDING ENFORCEMENT PROCEDURES, INCLUDING NOTICE, APPEAL HEARINGS, PENALTIES, IMPOSITION OF ADMINISTRATIVE CHARGES AND COLLECTION; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.", was introduced by MOTION of COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER on its SECOND AND FINAL READING.
MOTION CARRIED.

MOTION by COUNCILMAN CHERNOFF, seconded by COUNCILMAN ROSNER, to ADOPT ORDINANCE NO. 2007-13 on its SECOND AND FINAL READING.
BY THE FOLLOWING ROLL CALL VOTE: MOTION CARRIED.

VICE MAYOR JULIEN	YES	
COUNCILMAN DEROSE	YES	
COUNCILWOMAN SMITH	YES	(VOTE: 7 YES
COUNCILMAN CHERNOFF	YES	0 NO)
COUNCILMAN PIERRE	YES	
COUNCILMAN ROSNER	YES	
MAYOR MARIN	YES	

13B. LEGISLATION (CONTINUED):

ORDINANCES - SECOND AND FINAL READING (CONTINUED):

ORDINANCE NO. 2007-13 (CONTINUED):

Name of Party(ies) Appearing:

1. Charles Loeb
16800 N.E. 15 Avenue
North Miami Beach, FL.
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14. UNSCHEDULED CITIZENS APPEARANCES:

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

RE: DEVELOPMENT ON WINN DIXIE SITE.

15. CITY COUNCIL COMMITTEE REPORTS:

A. **VICE MAYOR JULIEN'S REPORT:**

1. VICE MAYOR JULIEN STATED THAT HE WOULD LIKE TO WISH EVERYONE IN THE CITY OF NORTH MIAMI BEACH A HEALTHY AND HAPPY NEW YEAR. VICE MAYOR JULIEN STATED THAT WITH HEALTH, OF COURSE, ALL THINGS ARE POSSIBLE.

(CNMB-CC MINUTES TAPE #387)

2. VICE MAYOR JULIEN ADDRESSED KEVIN BY OFFICIALLY THANKING HIM FOR FINALLY GETTING THOSE SIGNS UP IN THE CITY OF NORTH MIAMI BEACH. HE INDICATED THAT NOW AS HE DRIVES ALONG AND ALL THE PEOPLE IN THE CITY DRIVE ALONG THEY TELL HIM THAT THEY CAN ACTUALLY SEE THE STREET THAT THEY ARE TURNING INTO. VICE MAYOR JULIEN KNEW IT HAD BEEN OUT THERE FOR A LITTLE BIT BUT HE ACTUALLY GOT QUITE A FEW CALLS FROM PEOPLE WHO HAD COMPLAINED ORIGINALLY, SO HE JUST WANTED TO PUT IT OUT THERE ON THE RECORD. VICE MAYOR JULIEN THANKED THE CITY MANAGER.

(CNMB-CC MINUTES TAPE #387)

3. VICE MAYOR JULIEN WANTED TO ADVISE EVERYBODY IN THE LISTENING AUDIENCE THAT NEXT THURSDAY JANUARY 24 BETWEEN THE HOURS OF 7:00 P.M. AND 9:00 P.M. HE WILL BE HOSTING, ALONG WITH THE COMMISSION ON STATUS OF WOMEN, A DOMESTIC VIOLENCE AND A VICTIM SERVICES WORKSHOP WHICH THE NORTH MIAMI BEACH POLICE DEPARTMENT WILL BE ASSISTING WITH, AS

(CNMB-CC MINUTES TAPE #387)

15. CITY COUNCIL COMMITTEE REPORTS:

A. VICE MAYOR JULIEN'S REPORT (CONTINUED):

WELL. VICE MAYOR JULIEN BELIEVED THAT IT WOULD BE SOMETHING THAT WOULD BENEFIT THOSE THAT ATTEND. HE KNOWS THAT, FOR THE MOST PART, VICTIMS DO NOT LIKE TO SHOW UP TO THESE FUNCTIONS, BUT IF THERE IS ANYONE OUT THERE WHO KNOWS OF A VICTIM OR WOULD LIKE TO HELP THEM THIS IS A GREAT OPPORTUNITY FOR YOU TO COME AND OBTAIN INFORMATION. VICE MAYOR JULIEN AGAIN WISHED EVERYBODY A HEALTHY HAPPY NEW YEAR, AND AGAIN MAY GOD CONTINUE TO BLESS EVERYBODY.

(CNMB-CC MINUTES TAPE #387)

B. COUNCILMAN DEROSE'S REPORT:

1. COUNCILMAN DEROSE WANTED TO TAKE THIS OPPORTUNITY TO EXPRESS HIS HEARTFELT SYMPATHY TO THE FAMILY OF OFFICER JAMES WALKER WHO PASSED AWAY TWO (2) WEEKS AGO IN A VERY TRAGIC ACCIDENT. COUNCILMAN DEROSE ASKED TO PLEASE PRAY FOR THE FAMILY IN THIS DIFFICULT TIME AND "MAY HIS SOUL REST IN PEACE IN THE END, OH GOD".

(CNMB-CC MINUTES TAPE #387)

2. COUNCILMAN DEROSE CONGRATULATED OUR NEW POLICE CHIEF RAFAEL HERNANDEZ AND IS LOOKING FORWARD TO WORKING WITH HIM AND SUPPORTING HIM TO MAKE HIS JOB A LITTLE BIT EASIER. COUNCILMAN DEROSE WISHED HIM THE BEST. COUNCILMAN DEROSE WISHED EVERYONE A HAPPY MARTIN LUTHER KING DAY NEXT WEEK, AND WISHED EVERYONE A. GOOD NIGHT.

(CNMB-CC MINUTES TAPE #387)

C. COUNCILWOMAN SMITH'S REPORT:

1. COUNCILWOMAN SMITH WANTED TO APOLOGIZE TO OUR RESIDENTS IN OUR CITY, DUE TO THE FACT THAT NORTH MIAMI BEACH DID NOT HAVE ANYTHING SCHEDULED FOR MARTIN LUTHER KING DAY. COUNCILWOMAN SMITH STATED THAT SHE HOPED THAT THIS WOULD BE THE LAST YEAR THAT NORTH MIAMI BEACH WILL DO THAT. COUNCILWOMAN SMITH STATED WE HAVE A BEAUTIFUL STAGE, WE HAVE MICROPHONES, WE HAVE SPEAKERS, AND IF NOTHING ELSE WE COULD BE PLAYING HIS SPEECHES FOR THE DAY. COUNCILWOMAN SMITH INDICATED THAT SHE HAS SPOKEN TO THE MANAGER ABOUT THIS MANY TIMES AND SHE HOPES THIS IS THE LAST YEAR. COUNCILWOMAN SMITH WISHED EVERYBODY A GOOD MARTIN LUTHER KING DAY.

(CNMB-CC MINUTES TAPE #387)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

C. **COUNCILWOMAN SMITH'S REPORT (CONTINUED):**

2. COUNCILWOMAN SMITH STATED FROM EVERYTHING POSITIVE SHOULD COME OUR ATTITUDE TOWARDS OUR CITY WHICH SHE HOPED WILL BE POSITIVE. COUNCILWOMAN SMITH ALSO FELT VERY TAKEN BACK THAT WE LOST A POLICE OFFICER AND SHE FELT ESPECIALLY TAKEN BACK THAT IT HAPPENED IN OUR CITY. WE HAVE A LOT OF REBUILDING TO DO. WE HAVE A LOT BUT WE HAVE TO BE POSITIVE IN OUR CITY AND TO EVERYBODY WE MEET SO THAT WE CAN DO SOMETHING FOR THIS TERRIBLE TRAGEDY TO ANY POLICE OFFICER. COUNCILWOMAN SMITH STATED FOR ANY CITY TO HAVE THIS KIND OF TAINT ON THEM WE NEED TO ELIMINATE IT AS SOON AS WE CAN AND AS FAST AS WE CAN WITH A POSITIVE ATTITUDE FROM ALL OF OUR EMPLOYEES AND ALL THE PEOPLE THAT ARE IN THE CITY.

(CNMB-CC MINUTES TAPE #387)

3. COUNCILWOMAN SMITH WANTED TO THANK AND WISH WELL TO OUR NEW POLICE CHIEF AND TO WISH HIM A SAFE CAREER IN OUR CITY AND SAFE CAREER FOR HIS STAFF. SHE ESPECIALLY WANTED TO THANK CHIEF KATERMAN FOR NOT ONLY A JOB WELL DONE; SHE WAS A CHIEF; SHE WAS NOT AN ACTING CHIEF. COUNCILWOMAN SMITH SAID SHE TOLD HER ON MANY, MANY OCCASIONS, THAT SHE OUT PERFORMED ANYTHING WE COULD HAVE EXPECTED, IT WAS VERY NICE, AND A JOB WELL DONE. COUNCILWOMAN SMITH WANTED TO SAY TO EACH AND EVERYONE THAT 2008 WILL BE GREAT, AND LETS ALL DO OUR SHARE TO HELP MAKE IT THAT WAY. COUNCILWOMAN SMITH THANKED EVERYONE AND WISHED EVERYONE A GOOD NIGHT.

(CNMB-CC MINUTES TAPE #387)

D. **COUNCILMAN CHERNOFF'S REPORT:**

1. COUNCILMAN CHERNOFF WISHED EVERYONE A GOOD EVENING, AND INDICATED THAT HE, TOO, WOULD LIKE TO EXPRESS HIS CONDOLENCES TO THE WALKER FAMILY. COUNCILMAN CHERNOFF STATED THAT HE WAS SO SAD THAT IT HAPPENED WITHIN OUR CITY. COUNCILMAN CHERNOFF WANTED TO COMMEND OUR POLICE CHIEF, KATHY KATERMAN, AND THE WHOLE POLICE DEPARTMENT FOR A WONDERFUL JOB THEY DID IN SOLVING THE CRIME. HOPEFULLY WE WILL GET A CONVICTION AND WE HAVE THE RIGHT PERSON BUT IT WAS A TERRIBLE THING. COUNCILMAN CHERNOFF INDICATED THAT IT PURELY LOOKS LIKE HE WAS AT THE WRONG PLACE AT THE WRONG TIME AND HAD NOTHING TO DO WITH IT. COUNCILMAN CHERNOFF STATED IT IS JUST SAD THAT HAPPENS, AND IT HAD TO HAPPEN WITHIN OUR CITY.

(CNMB-CC MINUTES TAPE #387)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

D. COUNCILMAN CHERNOFF'S REPORT (CONTINUED):

2. COUNCILMAN CHERNOFF EXPRESSED HIS CONDOLENCES TO THE CITRON FAMILY. WE LOST SYLVIA AND BERNIE, WHO YOU KNOW WERE LONG TIME RESIDENTS AND ACTIVISTS IN THIS COMMUNITY AND IT IS TRUE LOVE WHEN ONE FOLLOWS ONE IN A WEEK'S TIME. WHEN ONE PASSES AND THE OTHER ONE PASSES THAT SHOWS TRUE LOVE. COUNCILMAN CHERNOFF STATED THIS IS NOT TO DIMINISH ANYBODY ELSE WHO DOES NOT PASS RIGHT AFTER SOMEBODY PASSES. COUNCILMAN CHERNOFF SAID YOU KNOW IT IS TRULY THAT ONE OF THEM DID NOT WANT TO LIVE WITHOUT THE OTHER, AND IT WAS TRUE LOVE, AND WE ARE GOING TO MISS THE CITRONS.

(CNMB-CC MINUTES TAPE #387)

3. COUNCILMAN CHERNOFF WANTED TO WELCOME BACK CHIEF HERNANDEZ TO OUR COMMUNITY. HE WAS HERE BEFORE, IT IS NICE TO HAVE A FAMILIAR FACE, AND WE WISH HIM THE BEST OF LUCK BY MAKING OUR DEPARTMENT THE GREAT DEPARTMENT THAT IT IS AND CONTINUING ITS EXCELLENCE. COUNCILMAN CHERNOFF THANKED EVERYONE AND SAID GOOD NIGHT, HAPPY NEW YEAR TO EVERYBODY.

(CNMB-CC MINUTES TAPE #387)

E. COUNCILMAN PIERRE'S REPORT:

1. COUNCILMAN PIERRE WISHED EVERYONE GOOD EVENING, HAPPY AND HEALTHY NEW YEAR TO EACH AND EVERYONE AND HE HOPED 2008 IS GOING TO BE A LOT BETTER THAN 2007 AS WE MOVE FORWARD.

(CNMB-CC MINUTES TAPE #387)

2. COUNCILMAN PIERRE WANTED TO TAKE THIS OPPORTUNITY TO THANK CHIEF KATERMAN FOR A JOB WELL DONE. LIKE COUNCILWOMAN SMITH SAID AFTER THE ELECTION SHE HAS BEEN EVERYWHERE. COUNCILMAN PIERRE STATED EVERYWHERE HE GOES HE SEES HER AND COUNCILMAN PIERRE ASKED HER, WHEN DO YOU GO HOME? BUT, SHE MANAGED TO KEEP THE BOAT AFLOAT WHERE THERE WAS A NEED FOR IT. COUNCILMAN PIERRE WELCOMED ON BOARD CHIEF HERNANDEZ AND HE WISHED HIM THE VERY BEST IN HELPING OUR CITY BEING SAFE. COUNCILMAN PIERRE STATED THAT WE WILL BE LOOKING FORWARD TO WORKING WITH THE NEW CHIEF. WE ARE HERE, AND WE WILL BE THERE TO SUPPORT HIM WHATEVER HE NEEDS. THIS COUNCIL IS THERE TO HELP AND MAKE HIS JOB A LITTLE EASIER.

(CMB-CC MINUTES TAPE #387)

15. CITY COUNCIL COMMITTEE REPORTS (CONTINUED):

E. COUNCILMAN PIERRE'S REPORT (CONTINUED):

3. COUNCILMAN PIERRE, ON A SAD NOTE, FELT COMPELLED TO THE CITRON FAMILY BECAUSE AS FAR AS HE COULD REMEMBER, ACCORDING TO THE RECORD, THEY HAVE BEEN ON THE COUNCIL COMMITTEE SINCE 1990, AND THEY HAVE BEEN SERVING AT LEAST EIGHTEEN (18) YEARS OF THEIR TIME FOR THIS CITY AND HE WISHED HE HAD COME ON BOARD EARLIER SO HE WOULD HAVE MORE TIES WITH THEM. BUT HE SYMPATHIZED WITH THE FAMILY. COUNCILMAN PIERRE INDICATED HE ALREADY SENT THEM A CARD, AND CONDOLENCES. COUNCILMAN PIERRE WISHED A HAPPY MARTIN LUTHER KING DAY, AND ONCE AGAIN, A HAPPY NEW YEAR TO EVERYONE. COUNCILMAN PIERRE EXPRESSED HIS LOVE TO ALL AND GOD BLESS EVERYONE.

(CNMB-CC MINUTES TAPE #387)

F. COUNCILMAN ROSNER'S REPORT:

1. COUNCILMAN ROSNER WISHED EVERYONE A GOOD EVENING AND INDICATED THAT HE, TOO, AS THE COUNCIL LIAISON FOR THE COMMISSION ON AGING, SPENT A SIGNIFICANT AMOUNT OF TIME WITH BOTH BERNIE AND SYLVIA CITRON AND IT IS VERY UNFORTUNATE ON THEIR PASSING. IT WAS VERY UNEXPECTED. HE KNEW THAT HIS WIFE WAS ILL AND HE BECAME ILL. COUNCILMAN ROSNER EXPRESSED HIS CONDOLENCES TO THE FAMILIES FROM NOT ONLY HIMSELF, HIS COUNCIL, BUT ALSO OUR FULL COMMISSION.

(CNMB-CC MINUTES TAPE #387)

2. COUNCILMAN ROSNER WANTED TO CONGRATULATE KEVIN AND HIS STAFF, AND EVEN SENT HIM A LITTLE E-MAIL THE OTHER DAY WHEN HE WAS DRIVING DOWN NINETEENTH (19TH) AVENUE. HE KNEW HE IS ON A STRING BUDGET AND EVERYTHING LOOKS REALLY NICE, IT IS NICE TO SEE EVERYTHING MULCHED AND BEAUTIFUL.

(CNMB-CC MINUTES TAPE #387)

3. COUNCILMAN ROSNER WANTED TO MAKE ONE CORRECTION THAT THE CHIEF SAID WHEN HE WAS UP HERE. HE SAID THAT WE HAD A GOOD DEPARTMENT AND IT IS GOING TO GO GREAT. COUNCILMAN ROSNER WANTED TO SAY THAT WE ARE GOING FROM A GREAT DEPARTMENT TO AN EVEN GREATER DEPARTMENT, AND HE THOUGHT THAT IS THE WAY IT SHOULD REALLY BE SAID, SO WELCOME ABOARD. COUNCILMAN ROSNER INDICATED THAT YOU OBVIOUSLY SEE WHAT OUR COUNCIL IS ABOUT. COUNCILMAN ROSNER STATED THAT OBVIOUSLY EVERYBODY PRAISED MAJOR KATERMAN FOR HAVING FILLED THE SHOES WHILE SHE WAS ASKED TO.

(CNMB-CC MINUTES TAPE #387)

15. **CITY COUNCIL COMMITTEE REPORTS (CONTINUED):**

F. **COUNCILMAN ROSNER'S REPORT:**

4. COUNCILMAN ROSNER WANTED TO REMIND ALL THE CITIZENS ABOUT THE PROPERTY TAX EXEMPTIONS. THAT ANY NEW RESIDENTS IN OUR CITY NEED TO FILE BEFORE MARCH 3. IT IS JUST A LITTLE REMINDER TO WELCOME TO OUR CITY. COUNCILMAN ROSNER EMPHASIZED TO MAKE SURE YOU FILE YOUR PROPERTY TAX EXEMPTION, FILING PERIOD ENDS MARCH 3RD, AND COUNCILMAN ROSNER WISHED EVERYONE A HAPPY NEW YEAR AND GOOD NIGHT.

(CNMB-CC MINUTES TAPE #387)

G. **MAYOR MARIN'S REPORT:**

1. MAYOR MARIN EXPRESSED GOOD EVENING TO EVERYBODY, AND HIS CONDOLENCES TO THE WALKER FAMILY, AND BERNIE AND SYLVIA. MAYOR MARIN HAS KNOWN BERNIE AND SYLVIA OVER TWENTY SOME ODD YEARS. THEY HAVE BEEN VERY ACTIVE IN THE CITY OF NORTH MIAMI BEACH, CLOSE TO THIRTY (30) YEARS ACTUALLY IN ONE FORM OR THE OTHER, THEY HAVE REALLY BEEN INVOLVED WITH THE WHOLE CITY AND MAYOR MARIN KNEW HE WOULD PERSONALLY MISS THEM. THEY WERE HIS VERY DEAR FRIENDS, AND OF CAROL'S, HIS WIFE.

(CNMB-CC MINUTES TAPE #387)

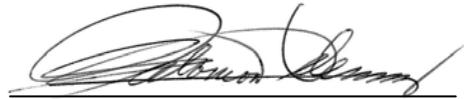
2. MAYOR MARIN ANNOUNCED THAT MONDAY IS MARTIN LUTHER KING DAY, AND HE HOPED EVERYONE ENJOYS IT. HE WISHED EVERYBODY A HAPPY NEW YEAR, AND IN 2008 THAT YOUR BEST DAY IN 2007 IS YOUR WORST IN 2008. MAYOR MARIN INDICATED THAT OUR NEXT COUNCIL MEETING IS TUESDAY FEBRUARY 5TH. MAYOR MARIN WANTED TO REMIND EVERYONE THAT EARLY VOTING HAS ALREADY STARTED YESTERDAY AND IT WILL BE GOING ON FOR THE NEXT COUPLE OF WEEKS. EARLY VOTING IN THIS AREA IS OVER AT AVENTURA CITY HALL, AND AT THE NORTH MIAMI LIBRARY AND THAT THE OTHER VOTING LOCATION IS AT N.W. 183 STREET. IT IS ONLINE WITH THE ELECTIONS DEPARTMENT, AND WE HAVE IT IN THE LOBBY, AND AS A SAMPLE BALLOT. MAYOR MARIN ALREADY WENT AND VOTED AND PEOPLE MIGHT WANT TO GO TO GET IT OUT OF THE WAY. MAYOR MARIN ANNOUNCED THAT HE WILL BE OUT OF TOWN FOR THE NEXT TEN (10) DAYS. HE IS LEAVING ON THE TWENTY-SECOND (22ND) AND RETURNING ON THE THIRTIETH (30TH) AND WILL LEAVE EVERYTHING IN THE VICE MAYOR'S HANDS. MAYOR MARIN WISHED EVERYONE A GOOD EVENING.

(CNMB-CC MINUTES TAPE #387)

There being no further business to come before the City Council of the City of North Miami Beach, the Regular Meeting of the City Council of the City of North Miami Beach was ADJOURNED at 10:30 PM.

CERTIFICATION

I, SOLOMON ODENZ, 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 FIFTEENTH (15TH) DAY OF JANUARY, 2008.



SOLOMON ODENZ, CITY CLERK
CITY OF NORTH MIAMI BEACH

(SEAL)