



CITY OF NORTH MIAMI BEACH
City Council Meeting
Council Chambers, 2nd Floor
City Hall, 17011 NE 19th Avenue
North Miami Beach, FL 33162
Tuesday, March 20, 2012
7:30 PM

Mayor George Vallejo
Vice Mayor Beth E. Spiegel
Councilman Philippe Derosé
Councilwoman Barbara Kramer
Councilwoman Marlen Martell
Councilman Frantz Pierre
Councilwoman Phyllis S. Smith

City Manager Lyndon L. Bonner
City Attorney Darcee S. Siegel
City Clerk Pamela L. Latimore, CMC

REGULAR MEETING MINUTES

1. ROLL CALL OF THE CITY OFFICIALS

The meeting was called to order at 7:40 p.m. Present at the meeting were Mayor George Vallejo, Vice Mayor Beth E. Spiegel and Council Members Philippe Derosé, Barbara Kramer, Marlen Martell, Frantz Pierre, and Phyllis S. Smith. Also, present were City Manager Lyndon L. Bonner, City Attorney Darcee S. Siegel and City Clerk Pamela L. Latimore.

2. INVOCATION – City Manager Lyndon L. Bonner

3. PLEDGE OF ALLEGIANCE

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA

Additions: Appointments (**Item 7.4 and 7.5**)

Withdrawals: **Item 15.8** Ordinance No. 2012-6 (Second and Final Reading) to be brought back at another date.

Requests: **Item 15.7** Ordinance No. 2012-3 (Second and Final Reading) be moved to the top of Legislation.

5. PRESENTATIONS/DISCUSSIONS

5.1 Recognition of the Miami Beach Civil Air Patrol (Mayor George Vallejo)

Captain Linus Osorio

Paul Novack

Civil Air Patrol Website: www.mbcscap.com

www.gocivilairpatrol.com

5.2 Representative John Patrick Julien - Post Legislative Session Report.

- House Bill 0547 – Provides for termination Of Community Redevelopment Agencies (CRA) by the Board of County Commissioners of certain counties.
- The repeal of a provision that was tucked away in another bill that say that code enforcement liens must be sent return receipt requested.
- They were able to stop the repeal of the local business tax receipt that would have created a negative fiscal impact on our local governments. This is a temporary reprieve; it will be back in 2013.
- Things to look out for:

House Bill 0809 – Communication Service Tax

House Bill 0411 – Municipal Water and Sewer Utilities; prohibits certain municipalities from imposing certain surcharges on consumers outside their boundaries for provision of water or sewer utility services.

6. PUBLIC COMMENT

City Clerk Latimore read the rules of Public Comment into record. The following person(s) spoke on the record:

1. Charles R. Loeb, 16800 N.E. 15th Avenue, North Miami Beach, FL
2. Volney Nerette, 16121 N.E. 19th Place, North Miami Beach, FL
3. Norman W. Edwards, 1640 N.E. 175th Street, North Miami Beach, FL
4. Actions For A Better Future, 1733 N.E. 162nd Street, North Miami Beach, FL
5. Mubarak Kazan, 15564 N.E. 12th Avenue, North Miami Beach, FL
6. Ketley Joachim, 210 N.E. 170th Street, North Miami Beach, FL
7. Richard Riess, 23 N.W. 169th Street, North Miami Beach, FL

7. APPOINTMENTS

7.1 Code Enforcement Board (Mayor George E. Vallejo)

Anthony DeFillipo

MOTION by Mayor Vallejo, seconded by Councilwoman Kramer, to appoint Anthony DeFillipo to the Code Enforcement Board. **(Approved 7-0)**

7.2 Code Enforcement Board (Councilman Philippe Derose)

Ketley Joachim

MOTION by Councilman Derose, seconded by Councilwoman Kramer, to appoint Ketley Joachim to the Code Enforcement Board. **(Approved 7-0)**

7.3 Multi-Cultural Committee (Councilwoman Barbara Kramer)

Angel Burley

MOTION by Councilwoman Kramer, seconded by Councilman Derose, to appoint Angel Burley to the Multi-Cultural Committee. **(Approved 7-0)**

7.4 Commission on the Status of Women (Vice Mayor Spiegel)

Cynthia Klein

MOTION by Vice Mayor Spiegel, seconded by Councilwoman Smith, to appoint Cynthia Klein to the Commission on the Status of Women. **(Approved 7-0)**

7.5 Code Enforcement Board (Councilwoman Phyllis S. Smith)

Edouard St. Hilaire (Ex-Officio to Regular Member)

MOTION by Councilwoman Smith, seconded by Councilman Pierre; to appoint Edouard St. Hilaire to the Code Enforcement Board. **(Approved 7-0)**

8. CONSENT AGENDA

8.1 SEPTEMBER 6, 2011 BUDGET #1 MEETING MINUTES (City Clerk Pamela L. Latimore)

8.2 SEPTEMBER 6, 2011 REGULAR MEETING MINUTES (City Clerk Pamela L. Latimore)

8.3 SEPTEMBER 20, 2011 BUDGET #2 MEETING MINUTES (City Clerk Pamela L. Latimore)

8.4 SEPTEMBER 20, 2011 REGULAR MEETING MINUTES (City Clerk Pamela L. Latimore)

8.5 OCTOBER 4, 2011 REGULAR MEETING MINUTES (City Clerk Pamela L. Latimore)

8.6 Resolution No. R2012-27 (Chief Procurement Officer Brian K. O'Connor)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH C & I CONSTRUCTION AND DESIGN, INC. FOR THE PALM LAND STATION UPGRADES.

MOTION by Councilman Derose, seconded by Councilman Pierre, to approve the Consent Agenda. **(Approved 7-0)**

9. CITY MANAGER'S REPORT

City Manager Bonner requested the approval of a transfer of \$8,500 from Council's Contingency Fund for the set up of Public Staff.

MOTION by Councilwoman Smith, seconded by Councilwoman Kramer, to approve the expenditure of \$8,500 from Council's Contingency fund for the set up of Public Stuff. **(Approved 6-1)**

Councilman Derosé requested that the contract for Public Stuff be reviewed by the City Attorney.

Councilwoman Smith also requested the price be locked in for the term of the contract.

Mayor Vallejo asked the City Manager for an update on the Mavericks High School situation. City Manager Bonner reported that he received a proposed agreement from the Attorney for Mavericks High School. There is some additional language that needs to be added. With some input from Interim Police Chief Gomer, we would like to define "Call Out" provision and add a few other things to the agreement.

Councilwoman Smith suggests that a formal letter be sent to Miami Dade Police Department requesting that they document if Mavericks High School students are involved in any incidents.

Mayor Vallejo inquired about the situation regarding the change in use or parking at the former Marina Grand site. City Manager Bonner reported that parking activity was observed at the site, not in relation to the PUD or Permits that were issued for the site. The use is income producing which was not approved by Council. He is working with Planning & Zoning and the City Attorney to send them a letter of warning. He wants to make sure that any use on the property (commercial parking) is in compliance with the PUD and permits that the developer has.

Vice Mayor Spiegel requested a comprehensive report from Administration and the Legal Department on the special PUD that was granted for Marina Grande, the impact of the State Statutes, and the effect of no apparent progress at the site.

Councilwoman Smith stated that if there is a violation, no matter who is involved, a violation notification should be sent out immediately.

10. CITY ATTORNEY'S REPORT

9.1 Litigation List

City Attorney Siegel reported that she is working with the Zoning Department to clean up the zoning codes. At the April 9th meeting of Planning and Zoning Board there will be three (3) separate ordinances that will be going before the board and ultimately to Council the first week of May that involve modifying the code for fence heights, updating business tax uses, and side set-backs. She has also reviewed the process and criteria for appointments to the various boards and has drafted a proposed ordinance that was presented to the Public Utilities Commission at their March 14th meeting for discussion. The same will be done for Planning and Zoning at their April 9th meeting, as well as Code Enforcement at their April 12th meeting. She hasn't worked out how to approach the unique situation of the Civil Service Board with seven (7) seats, five (5) Council appointed seats and two (2) employee elected seats.

11. MAYOR'S DISCUSSION

There needs to be better cooperation between Administration and the Legal Department, especially on issues of outside legal representation. The City Manager needs to involve the City

Attorney in the hiring of outside legal counsel. He also emphasized that everyone needs to be on top of their game. There are some very big issues that we will be dealing with, like the labor agreements, pension reform, and the sanitation RFP, as well as, other pieces of business that need to be attended. If we are going to accomplish the things that the residents had elected us to do, we can't keep moving things forward to another meeting.

12. **MISCELLANEOUS ITEMS** – None

13. **WAIVER OF FEE** – None

14. **BUSINESS TAX RECEIPTS** – None

15. **LEGISLATION**

15.7 Ordinance No. 2012-3 - Second and Final Reading (Finance Director Janette Smith)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF OBLIGATIONS OF THE CITY TO REFINANCE THE ACQUISITION AND CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS AND TO PAY COSTS AND EXPENSES OF ISSUING SUCH OBLIGATIONS; PROVIDING FOR A PLEDGE OF AD VALOREM REVENUES WITHOUT LIMIT ON ALL TAXABLE PROPERTY IN THE CITY TO PAY THE PRINCIPAL OF, REDEMPTION PREMIUM, IF ANY, AND INTEREST ON THE OBLIGATIONS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE ACCEPTANCE OF JPMORGAN CHASE BANK, N.A.'S PROPOSAL; AUTHORIZING THE SALE OF THE SERIES 2012 BOND ON A NEGOTIATED BASIS TO JPMORGAN CHASE BANK, N.A.; AUTHORIZING THE ISSUER TO ACT AS REGISTRAR, PAYING AGENT AND AUTHENTICATING AGENT WITH RESPECT TO THE SERIES 2012 BOND; MAKING CERTAIN FINDINGS, REPRESENTATIONS AND COVENANTS WITH RESPECT THERETO; PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO; AND PROVIDING AN EFFECTIVE DATE.

MOTION by Councilman Derose, seconded by Councilwoman Smith, to approve Ordinance No. 2012-3. (**Approved 7-0**)

Public Comment open and comments were made by the following:

1. Mubarak Kazan, 15564 N.E. 12th Avenue, North Miami Beach, FL

15.1 Resolution No. R2012-25 (City Planner Christopher Heid)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING AN AFTER-THE-FACT VARIANCE FROM SECTION 24-84(A)(2) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO EXCEED BY NINETEEN FEET (19') THE MAXIMUM PERMITTED DOCK EXTENSION OF EIGHT FEET (8'), WHERE DOCK EXTENSION OF TWENTY SEVEN FEET (27') IS EXISTING, ON PROPERTY LEGALLY DESCRIBED AS: LOT 65, BLOCK 9, OF SKY LAKE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 60, PAGE 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. A/K/A 2091 NE 191 Drive North Miami Beach, Florida (P&Z Item No. 11-516 of February 13, 2012).

Public Comment: None

City Clerk Latimore posed the question to council: Has anyone spoken to a lobbyist, the owner, or representatives in regards to this matter?

Councilman Derose – No, Councilwoman Kramer – No, Councilwoman Martell – No, Councilman Pierre – No, Councilwoman Smith – Yes, Vice Mayor Spiegel – Yes, Mayor Vallejo – No

ROLL CALL: Councilman Derose, Yes, Councilwoman Kramer, Yes, Councilwoman Martell, Yes, Councilman Pierre, Yes, Councilwoman Smith, Yes, Vice Mayor Spiegel, Yes, Mayor Vallejo, Yes (Approved 7-0)

15.2 Resolution No. R2012-26 (City Planner Christopher Heid)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A 2 BUILDING, 4 UNIT, 2 STORY DUPLEX TOWNHOUSE DEVELOPMENT TOTALING 9,440 SQUARE FEET ON A 14,081 SQUARE FOOT PARCEL OF LAND; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-47(D)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE NINE FEET (9') OF THE MINIMUM REQUIRED TWENTY-FIVE FEET (25') REAR YARD SETBACK, WHERE REAR YARD SETBACK OF SIXTEEN FEET (16') IS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-47(D)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE FOURTEEN FEET (14') SIX INCHES (6") OF THE MINIMUM REQUIRED TWENTY FEET (20') INTERIOR SIDE YARD SETBACK, WHERE INTERIOR SIDE YARD SETBACK OF FIVE FEET (5') SIX INCHES (6") IS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-47(D)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE TEN FEET (10') OF THE MINIMUM REQUIRED TWENTY-FIVE FOOT (25') CORNER SIDE YARD SETBACK, WHERE CORNER SIDE YARD SETBACK OF FIFTEEN FEET (15') IS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-47(D)(4) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH TO WAIVE TWENTY FEET (20') OF THE MINIMUM REQUIRED THIRTY FOOT (30') DISTANCE BETWEEN STRUCTURES, WHERE A DISTANCE OF TEN FEET (10') BETWEEN STRUCTURES IS PROPOSED; AND A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A VARIANCE FROM SECTION 24-47(D)(6) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, TO EXCEED BY EIGHT PERCENT (8%) (1,126 SQUARE FEET) THE MAXIMUM PERMITTED LOT COVERAGE OF TWENTY-FIVE PERCENT (25%) (3,520 SQUARE FEET), WHERE LOT COVERAGE OF THIRTY-THREE PERCENT (33%) IS PROPOSED ON PROPERTY LEGALLY DESCRIBED AS: LOT 38, BLOCK 18, OF EASTERN SHORES 2ND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 66, PAGE 43, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA A/K/A 16605 NE 35 Avenue North Miami Beach, Florida (P&Z Item No. 11-513 of February 13, 2012).

Public Comment open and comments were made by the following:

1. Magdalena Ammirah, 3665 N.E. 167th Street, North Miami Beach, FL - **Against**
2. Mubarak Kazan, 15564 N.E. 12th Avenue, North Miami Beach, FL – **Against**
3. Bernie Maribona, NE 35th Avenue, LLC, Managing Partner, 3320 N.E. 164th Street, North Miami Beach, FL
4. Luis LaRosa, Architect, 6500 Alpine Road, Miami Lakes, FL

City Clerk Latimore posed the question to council: Has anyone spoken to a lobbyist, the owner, or representatives in regards to this matter?

Councilman Derose – **No**, Councilwoman Kramer – **No**, Councilwoman Martell – **No**, Councilman Pierre – **No**, Councilwoman Smith – **Yes**, Vice Mayor Spiegel – **Yes**, Mayor Vallejo – **No**

MOTION by Councilwoman Smith, seconded by Councilman Derose, to adopt Resolution No. R2012-26. (**Approved 7-0**)

ROLL CALL: Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilman Pierre – **Yes**, Councilwoman Smith – **Yes**, Vice Mayor Spiegel – **Yes**, Mayor Vallejo – **Yes** (**Approved 7-0**)

15.3 Ordinance No. R2012-5 First Reading by Title Only (City Planner Christopher Heid)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING CHAPTER 24, SECTION 24-147.1(G) (5) (a) & (b) OF THE CITY'S CODE OF ORDINANCES, ENTITLED "PERMANENT SIGNS ALLOWED" BY INCREASING THE ALLOWABLE AMOUNT OF COMMERCIAL WINDOW SIGNAGE FROM 10% TO 25%; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION by Councilman Derose, seconded by Councilwoman Kramer, to adopt Ordinance No. 2012-5. (**Approved 7-0**)

Public Comment open and comments were made by the following:

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

MOTION by Councilwoman Smith, seconded by Councilman Derose, to amend Section 24-147.1 (G)(5)(b) of Ordinance No. 2012-5, leave in the strikethrough sections, "No more than one-half (1/2) of the total window sign area permitted shall consist of illuminated signs." and remove "Window signs may be illuminated." (**Approved 7-0**)

ROLL CALL: Councilman Derose, **Yes**, Councilwoman Kramer, **Yes**, Councilwoman Martell, **Yes**, Councilman Pierre, **Yes**, Councilwoman Smith, **Yes**, Vice Mayor Spiegel, **Yes**, Mayor Vallejo, **Yes** (**Adopted as amended 7-0**)

15.4 Ordinance No. 2012-7 First Reading by Title Only (Code Compliance Manager Eric Wardle)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING CHAPTER XIV SECTION 14-8.22(C) OF THE CODE OF THE ORDINANCES OF THE CITY OF NORTH MIAMI BEACH ENTITLED "ENFORCEMENT OF MUNICIPAL CODES OR ORDINANCES" BY PROVIDING FOR AN APPEAL HEARING PROCESS AND BY PROVIDING A SCHEDULE OF CIVIL PENALTIES FOR CODE ENFORCEMENT CITATIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment: None

MOTION by Councilwoman Smith, seconded by Councilman Pierre, to amend Ordinance No. 2012-7 to add that the citation must be remedied in 48 hours.

ROLL CALL: Councilman Derose, **No**, Councilwoman Kramer, **No**, Councilwoman Martell, **No**, Councilman Pierre, **No**, Councilwoman Smith, **Yes**, Vice Mayor Spiegel, **No**, Mayor Vallejo, **No** (**Failed as amended 1-6**)

MOTION by Councilman Derose, seconded by Councilwoman Kramer, to adopt Ordinance No. 2012-7.

ROLL CALL: Councilman Derose, **Yes**, Councilwoman Kramer, **Yes**, Councilwoman Martell, **Yes**, Councilman Pierre, **Yes**, Councilwoman Smith, **No**, Vice Mayor Spiegel, **Yes**, Mayor Vallejo, **Yes** (**Adopted – First Reading by title only 6-1**)

15.5 Ordinance No. 2012-8 First Reading by Title Only (City Planner Christopher Heid)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA ADOPTING A FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, FUTURE LAND USE MAP 1.22, RE-DESIGNATING THE FUTURE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT 17400 WEST DIXIE HIGHWAY FROM RESIDENTIAL HIGH DENSITY TO BUSINESS; DIRECTING THE DIRECTOR OF PUBLIC SERVICES TO MAKE ALL NECESSARY CHANGES IN THE OFFICIAL FUTURE LAND USE MAP OF THE CITY OF NORTH MIAMI BEACH TO CARRY OUT THE INTENT OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment open and comments were made by the following:

1. Norman Edwards, 1640 N.E. 175th Street, North Miami Beach, FL, **Against**
2. Joe Davis, 2173 N.E. 173^{re} Street, North Miami Beach, FL, **Against**
3. Mubarak Kazan, 15564 N.E. 12th Avenue, North Miami Beach, FL, **Against**
4. Alan Macke, 17071 West Dixie Highway, North Miami Beach, FL, **For**
5. Jodie Siegel, Law Offices of Doumar Allsworth Laystrom, Voigt, Wachs, Adair, & Bosack, LLP, 1177 S.E. 3rd Avenue, Ft. Lauderdale, FL

City Attorney Siegel requested that the Ordinance be amended to include the legal description of the property and read the description into record.

City Clerk Latimore posed the question to council: Has anyone spoken to a lobbyist, the owner, or representatives in regards to this matter?

Councilman Derose – **Yes**, Councilwoman Kramer – **Yes**, Councilwoman Martell – **Yes**, Councilman Pierre – **Yes**, Councilwoman Smith – **Yes**, Vice Mayor Spiegel – **Yes**, Mayor Vallejo – **Yes**

MOTION by Councilman Derose, seconded by Councilman Pierre, to adopt Ordinance No.2012-8

ROLL CALL: Councilman Derose, **Yes**, Councilwoman Kramer, **Yes**, Councilwoman Martell, **Yes**, Councilman Pierre, **Yes**, Councilwoman Smith, **Yes**, Vice Mayor Spiegel, **Yes**, Mayor Vallejo, **Yes** (**Adopted – First Reading by title only, as amended 7-0**)

15.6 Ordinance No. 2012-9 First Reading by Title Only (City Planner Christopher Heid)

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, REZONING PROPERTY WITHIN THE CITY OF NORTH MIAMI BEACH LOCATED AT 17400 WEST DIXIE HIGHWAY FROM A CLASSIFICATION OF RM-23, RESIDENTIAL MID-RISE MULTIFAMILY (HIGH DENSITY) DISTRICT AND CF, COMMUNITY FACILITY DISTRICT, TO A CLASSIFICATION OF B-2, GENERAL BUSINESS DISTRICT, AND DIRECTING THE DIRECTOR OF THE PUBLIC SERVICES DEPARTMENT TO MAKE ALL NECESSARY CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF NORTH MIAMI BEACH TO CARRY OUT THE INTENT OF THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION by Councilman Derose, seconded by Councilwoman Kramer, to adopt Ordinance No. 2012-9. (**Adopted 7-0**)

Public Comment: None

ROLL CALL: Councilman Derose, **Yes**, Councilwoman Kramer, **Yes**, Councilwoman Martell, **Yes**, Councilman Pierre, **Yes**, Councilwoman Smith, **Yes**, Vice Mayor Spiegel, **Yes**, Mayor Vallejo, **Yes** (**Adopted – First Reading by title only 7-0**)

15.8 Ordinance No. 2012-6 (Second and Final Reading) (City Attorney Darcee S. Siegel)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING SECTION 2, PARAGRAPH 9, OF ORDINANCE 2006-6 LOWERING THE INTEREST RATE ON EACH MEMBER'S DROP ACCOUNT FROM 6.5% COMPOUNDED MONTHLY TO 3% COMPOUNDED MONTHLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. (**WITHDRAWN - See Page 1, Item 4**)

16. CITY COUNCIL REPORTS

Councilman Derose – None

Councilwoman Kramer has a couple of reminders, the Multi-Cultural Committee's movie night on April 13, 2012 will be showing "School Ties", in the Silver Auditorium at 7:00 p.m. Jazzapalooza is on Saturday evening April 21, 2012, please call the Leisure Services Dept. 305-787-6005 to pick up your free tickets, maximum of four (4) tickets per person. The Multi-Cultural Committee is working on a historical tour of North Miami Beach on Saturday, April 28, 2012. She will have more information at the next Council Meeting. Councilwoman Kramer also congratulated the Police Department for their investigation into the Identity Theft problem that has affected residents and employees of the City. Their investigation was featured on the front page of the CNN website.

Councilwoman Martell would like to congratulate Commissioner Sally Heyman for receiving the Florida Woman of Achievement Award. She would like to remind everyone to come out and participate in Get Fit NMB, walks are every Monday and Thursday starting at the City of North Miami Beach Library at 7:00 p.m.

Councilman Pierre spoke about the success of the annual Teen Spring Clean Up and he is looking forward to the next project. He also wanted to thank City Manager Bonner for coming out and participating in the project. In closing, Councilman Pierre reminded everyone that the Library is open for them to use.

Councilwoman Smith opened by thanking the Police Department for their hard work. She also wanted to extend her congratulations to Commissioner Sally Heyman being a recipient of the Florida Woman of Achievement Award.

Vice Mayor Spiegel stated that the Commission on the Status of Women (COSW) is having a Health Fair on Saturday, March 31, 2012 from 10:00 a.m. to 1:00 p.m. at the McDonald Center. The Youth Symposium will also be on Saturday, March 31, 2012 from 9:00 a.m. to 1:00 p.m. at the McDonald Center.

Mayor Vallejo – None

17. NEXT REGULAR CITY COUNCIL MEETING

Tuesday, April 3, 2012

18. ADJOURNMENT

There being no further business to come before the City Council the meeting was adjourned at 11:43 p.m.

ATTEST:

(S E A L)



Pamela L. Latimore
City Clerk