



**CITY OF NORTH MIAMI BEACH**  
City Council Meeting  
Council Chambers, 2nd Floor  
City Hall, 17011 NE 19th Avenue  
North Miami Beach, FL 33162  
**Tuesday, April 3, 2012**  
**7:30 PM**

Mayor George Vallejo  
Vice Mayor Beth E. Spiegel  
Councilman Philippe Derose  
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**

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

The meeting was called to order at 7:35 p.m. Present at the meeting were Mayor George Vallejo, Vice Mayor Beth E. Spiegel, and Council Members Philippe Derose, Phyllis S. Smith, Frantz Pierre, and Barbara Kramer. Also present were City Manager Lyndon L. Bonner, City Attorney Darcee S. Siegel and City Clerk Pamela L. Latimore.

**2. INVOCATION**

Reverend Dr. Jonas Georges, All Nations Presbyterian Church

**3. PLEDGE OF ALLEGIANCE**

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

City Clerk Latimore noted the withdrawal of Item 5.1 Award of Appreciation to Michael Levin.

**5. PRESENTATIONS/DISCUSSIONS**

**5.1** Award of Appreciation to Michael Levin - Mayor George Vallejo (**Withdrawn**)

**5.2** Presentation by Joseph Nabaka (**S.W.A.T. – Student Working Against Tobacco**)

**6. PUBLIC COMMENT**

City Clerk Latimore read the rules for Public Comment.

1. Charles R. Loeb – 16800 N.E. 15<sup>th</sup> Avenue, North Miami Beach, FL
2. Timotco – 2345 N.E. 137<sup>th</sup> Street, North Miami Beach, FL

3. Rolland Villieux – 13730 Highland Drive, North Miami Beach, FL
4. Marilyn Baumoehl – 18635 N.E. 20<sup>th</sup> Court, North Miami Beach, FL
5. Jarret L. Gross – 1557 N.E. 164<sup>th</sup> Street, North Miami Beach, FL
6. Janice Coakley, AFSCME – P. O. Box 600951, North Miami Beach, FL 33160
7. Actions For Better Future – 1733 N.E. 162<sup>nd</sup> Street, North Miami Beach, FL
8. Daniel Pierre –
9. Richard Riess – 23 N.W. 169<sup>th</sup> Street, North Miami Beach, FL
10. Mubarak Kazan – 15564 N.E. 12<sup>th</sup> Avenue, North Miami Beach, FL

**7. APPOINTMENTS - None**

**8. CONSENT AGENDA**

**8.1** October 18, 2011 Regular Meeting Minutes (City Clerk Pamela L. Latimore)

**8.2** November 1, 2011 Regular Meeting Minutes (City Clerk Pamela L. Latimore)

**MOTION** by Councilman Derosé, seconded by Councilwoman Kramer, to adopt the Consent Agenda with noted amendments to the minutes. **(Adopted 7-0).**

**9. CITY MANAGER'S REPORT**

**9.1** Tentative Budget Calendar/Financial Update

City Manager Bonner noted that staff had a kick-off meeting that morning to discuss a tentative budget calendar for FY Budget 2012-13. City Manager Bonner requested that Council review the schedule and reserve time for possible budget workshops. City Manager Bonner also noted that the City's Comprehensive Financial Statements were transmitted to GOF last week and that the audit statements are now complete; he expects the report to be completed and delivered in a timely manner. City Manager also reported that union negotiations will commence with the International Union of Police Associations on Thursday, April 15, 2012 at 11 a.m. on the 4<sup>th</sup> floor.

**9.2** Town Hall Meeting Update

City Manager Bonner informed Council that a Town Hall meeting has been scheduled at Eden Isles for April 19<sup>th</sup> at 7 p.m. to discuss the Eastern Shores Fire Rescue Station and Guard House.

**10. CITY ATTORNEY'S REPORT**

**10.1** Litigation List

City Attorney Siegel spoke briefly about the preparation of a resolution to be presented to Council at a future meeting with regards to the Anti-Tobacco issue. City Attorney Siegel noted that the commercial sign ordinance previously heard by Council will be brought back at the next regular city council meeting for their approval on second and final reading. She also noted that two requests for extensions of time to pull permits would come before Council on April 17<sup>th</sup> with regards to two locations for Toras Emes (163<sup>rd</sup> Street & Miami Gardens).

**11. MAYOR'S DISCUSSION**

Mayor Vallejo took a moment to apologize to his three (3) Charter employees for comments he made to them with regards to legislation pulled or tabled at the last Council meeting. He stated that he was frustrated by delays but did not want to demean all the hard work performed by the departments and management staff. He emphasized that some of his comments about staying on top of our game and moving forward do still stand as we enter some truly turbulent times.

Mayor Vallejo also updated everyone on a conversation he had with Commissioner Sally Heyman regarding an amendment she made to the City's Community Redevelopment Agency budget. He noted that the Community Redevelopment Agency budget was passed and that now was the time to start formulating a plan to tackle some key areas.

**12. MISCELLANEOUS ITEMS - None**

**13. WAIVER OF FEE – None**

**14. BUSINESS TAX RECEIPTS**

**14.1 G5ive, LLC d/b/a G5ive**

337, 339, 341, 343, 345, 347, 349, N.W. 170 Street  
North Miami Beach, FL

City Clerk Pamela Latimore read the background information on the second application for a Business Tax Receipt (BTR) by G5ive, LLC d/b/a G5ive into record.

**Direction:** City Attorney Spiegel to update the City Code be to include provisions for a reapplication fee and a waiting period between applications when a Business Tax Receipt has been rejected.

**MOTION** by Councilman Derose, seconded by Councilwoman Martell, to approve the BTR for G5ive, LLC d/b/a G5ive as amended.

Amendment to the BTR to include the a minimum of four (4) police officers which can be ramped up or down at the Police Chief's discretion and a quarterly status report from the Chief of Police.

**ROLL CALL:** Councilman Derose – **Yes**, Councilwoman Kramer – **No**, Councilwoman Martell – **Yes**, Councilman Pierre – **No**, Councilwoman Smith – **No**, Vice Mayor Spiegel – **Yes**, Mayor Vallejo – **Yes** (**Approved** 4-3 as amended)

**15. LEGISLATION**

**15.1 Ordinance No. 2012-7 – Second and Final Reading (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:** Open

The following person(s) spoke on this item:

1. Mubarak Kazan – 15564 N.E. 12<sup>th</sup> Avenue, North Miami Beach, FL – **Against**
2. Action for a Better Tomorrow – 1733 N.E. 162 Street, North Miami Beach, FL - **Against**
3. Charles Loeb – 16800 N.E. 15 Avenue, North Miami Beach, FL
4. Richard Riess – 23 N.W. 169 Street, North Miami Beach, FL – **Against**
5. Maria Aquino – N/A – **Against**

**MOTION** by Councilwoman Smith, seconded by Councilman Pierre, to table Ordinance No. 2012-7.

**16. CITY COUNCIL REPORTS**

**Councilman Derose** would like to thank the Police Department for their professionalism when dealing with the IRS on the issues of identity theft in the City. He also extended his sympathy to the family of Trevon Martin.

**Councilwoman Kramer** opened by stating that the Multi-Cultural Committee is looking for volunteers in the community to serve on the committee. The next meeting will be April 9, 2012 at 7:00 p.m. The Multi-Cultural Committee's movie night is 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 Department at 305-787-6005. On April 28, 2012 the committee is having their first North Miami Beach Magical History Tour, call the Leisure Services Department for tickets. She also wishes a Happy Passover and Easter to everyone in the community.

**Councilwoman Martell** opened by wishing City Manager Bonner a Happy Birthday. On Saturday she will be having an informal meeting at Washington Park between the hours of 1:00 p.m. – 2:00 p.m. Get Fit NMB is on Mondays and Thursdays starting out from the NMB Library at 7:00 p.m. She also wishes a Happy Passover and Easter to everyone in the community.

**Councilman Pierre** thanked all the residents for coming out to the Council Meeting. He stated that through communication, they as elected officials, can do a better job for the residents of the City. He also thanked the Commissioners Monestime and Heyman for the work that they do for the City. He also wishes everyone a Happy Passover and Easter.

**Councilwoman Smith** wished City Manager Bonner a Happy Birthday. She sends her condolences to Joe and Sylvia Cousins family on the loss of their mother. Also, she extends her sympathy to Trevon Martin's family on their tragic lose. Thank you to Interim Chief Gomer for making the City as safe as possible for the residents. She wishes everyone a Happy Easter and Passover.

**Vice Mayor Spiegel** thanked the Commission on the Status of Women (COSW) on the Health Fair that was held on Saturday. She encouraged parents to bring their children on Saturday, April 14, 2012 to the Annual Youth Symposium. Planning and Zoning meeting is on Monday, April 9, 2012 at 6:00 p.m. She reminds everyone recycling will be picked up tomorrow. Happy Holidays to everyone celebrating this weekend.

**Mayor Vallejo** encourages everyone to attend the Memorial Service for Trevon Martin at Saint Forts Funeral Home, 6:00 p.m. tomorrow. He encourages everyone to come out and support the Gala Event at the Spanish Monastery. The Mayor reminded everyone that Sunday, April 22, 2012 at 10:00 a.m. the Oleta River State Park will be hosting the "Walk for a Cure" by Mystic Force Foundation to raise funds to find a cure for childhood cancer.

**17. NEXT REGULAR CITY COUNCIL MEETING**

Tuesday, April 17, 2012

**18. ADJOURNMENT**

There being no further business to come before the City Council, Meeting was adjourned at 10:35 p.m.

ATTEST:

(SEAL)



Pamela L. Latimore  
City Clerk