



City of North Miami Beach, Florida

MAYOR AND COUNCIL

COUNCIL CONFERENCE

Tuesday, March 2, 2010

6:00 pm

Fourth Floor, Council Chambers

AGENDA

6:00 P.M.

- 1. Discussion of March 2, 2010 Council Meeting Agenda items (Mayor and Council)**
(As Needed)
- 2. Legal Advertising (Councilwoman Kramer)**
(Approximately 15 minutes)

7:00 P.M.

- 1. Open Discussion- Open Discussion will last until 7:20 P.M., at which time the Council will adjourn to the Council Chambers (2nd Floor) to begin the Council Meeting.**



City of North Miami Beach Memorandum

Office of the City Clerk

TO: Honorable Mayor and Council
FROM: Susan A. Owens, CMC, City Clerk *SAO*
DATE: March 2, 2010

RE: *Legal Advertising*

BACKGROUND

On June 16, 2009, the City Council unanimously concurred with the reduction of the legal advertising budget by only advertising the minimum publication requirements as established by the State of Florida. These reductions were estimated to result in a \$40,000.00 reduction in costs to the taxpayers.

Councilwoman Kramer has asked this issue come forward again for further discussion. Included in your agendas are copies of the applicable statutes, how the legal advertisements were previously published versus how they are currently published, the costs of publishing the additional non-required advertisements, and a survey of the advertising polices from neighboring municipalities.

CC: Kelvin L. Baker, City Manager
Darcee S. Siegel, City Attorney

Select Year: 2009

The 2009 Florida Statutes

[Title XIX](#)

[Chapter 286](#)

[View Entire Chapter](#)

PUBLIC BUSINESS PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

286.011 Public meetings and records; public inspection; criminal and civil penalties.--

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

No
requirement
for
publication

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

(3)(a) Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not exceeding \$500.

(b) Any person who is a member of a board or commission or of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(c) Conduct which occurs outside the state which would constitute a knowing violation of this section is a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

(4) Whenever an action has been filed against any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision to enforce the provisions of this section or to invalidate the actions of any such board, commission, agency, or authority, which action was taken in violation of this section, and the court determines that the defendant or defendants to such action acted in violation of this section, the court shall assess a reasonable attorney's fee against such agency, and may assess a reasonable attorney's fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission. However, this subsection shall not apply to a state attorney or his or her duly

authorized assistants or any officer charged with enforcing the provisions of this section.

(5) Whenever any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision appeals any court order which has found said board, commission, agency, or authority to have violated this section, and such order is affirmed, the court shall assess a reasonable attorney's fee for the appeal against such board, commission, agency, or authority. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission.

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(7) Whenever any member of any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision is charged with a violation of this section and is subsequently acquitted, the board or commission is authorized to reimburse said member for any portion of his or her reasonable attorney's fees.

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.

History.--s. 1, ch. 67-356; s. 159, ch. 71-136; s. 1, ch. 78-365; s. 6, ch. 85-301; s. 33, ch. 91-224; s. 1, ch. 93-232; s. 210, ch. 95-148; s. 1, ch. 95-353.

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Select Year: 2009

The 2009 Florida Statutes

[Title XII](#)
MUNICIPALITIES

[Chapter 166](#)
MUNICIPALITIES

[View Entire Chapter](#)

166.041 Procedures for adoption of ordinances and resolutions.--

(1) As used in this section, the following words and terms shall have the following meanings unless some other meaning is plainly indicated:

(a) "Ordinance" means an official legislative action of a governing body, which action is a regulation of a general and permanent nature and enforceable as a local law.

(b) "Resolution" means an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body.

(2) Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act or section or subsection or paragraph of a section or subsection.

(3)(a) Except as provided in paragraph (c), a proposed ordinance may be read by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

*only requires
Advertisement
of second
readings*

(b) The governing body of a municipality may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of paragraph (a) of this subsection. However, no emergency ordinance or resolution shall be enacted which establishes or amends the actual zoning map designation of a parcel or parcels of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category. Emergency enactment procedures for land use plans adopted pursuant to part II of chapter 163 shall be pursuant to that part.

¹(c) Ordinances initiated by other than the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to paragraph (a). Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated

by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to the following procedure:

1. In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than 10 contiguous acres, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land the municipality will redesignate by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the public hearing, and a copy of the notice shall be kept available for public inspection during the regular business hours of the office of the clerk of the governing body. The governing body shall hold a public hearing on the proposed ordinance and may, upon the conclusion of the hearing, immediately adopt the ordinance.

2. In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving 10 contiguous acres or more, the governing body shall provide for public notice and hearings as follows:

a. The local governing body shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct that hearing at another time of day. The first public hearing shall be held at least 7 days after the day that the first advertisement is published. The second hearing shall be held at least 10 days after the first hearing and shall be advertised at least 5 days prior to the public hearing.

b. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the municipality and of general interest and readership in the municipality, not one of limited subject matter, pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least 5 days a week unless the only newspaper in the municipality is published less than 5 days a week. The advertisement shall be in substantially the following form:

NOTICE OF (TYPE OF) CHANGE

The (name of local governmental unit) proposes to adopt the following ordinance: (title of the ordinance).

A public hearing on the ordinance will be held on (date and time) at (meeting place).

Except for amendments which change the actual list of permitted, conditional, or prohibited uses within

a zoning category, the advertisement shall contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the general area.

c. In lieu of publishing the advertisement set out in this paragraph, the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of any public hearing on the proposed ordinance.

(4) A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution; except that two-thirds of the membership of the board is required to enact an emergency ordinance. On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein.

(5) Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be signed by the presiding officer and the clerk of the governing body.

(6) The procedure as set forth herein shall constitute a uniform method for the adoption and enactment of municipal ordinances and resolutions and shall be taken as cumulative to other methods now provided by law for adoption and enactment of municipal ordinances and resolutions. By future ordinance or charter amendment, a municipality may specify additional requirements for the adoption or enactment of ordinances or resolutions or prescribe procedures in greater detail than contained herein. However, a municipality shall not have the power or authority to lessen or reduce the requirements of this section or other requirements as provided by general law.

(7) Five years after the adoption of any ordinance or resolution adopted after the effective date of this act, no cause of action shall be commenced as to the validity of an ordinance or resolution based on the failure to strictly adhere to the provisions contained in this section. After 5 years, substantial compliance with the provisions contained in this section shall be a defense to an action to invalidate an ordinance or resolution for failure to comply with the provisions contained in this section. Without limitation, the common law doctrines of laches and waiver are valid defenses to any action challenging the validity of an ordinance or resolution based on failure to strictly adhere to the provisions contained in this section. Standing to initiate a challenge to the adoption of an ordinance or resolution based on a failure to strictly adhere to the provisions contained in this section shall be limited to a person who was entitled to actual or constructive notice at the time the ordinance or resolution was adopted. Nothing herein shall be construed to affect the standing requirements under part II of chapter 163.

(8) The notice procedures required by this section are established as minimum notice procedures.

History.--s. 1, ch. 73-129; s. 2, ch. 76-155; s. 2, ch. 77-331; s. 1, ch. 83-240; s. 1, ch. 83-301; s. 2, ch. 95-198; s. 5, ch. 95-310.

¹Note.--As amended by s. 5, ch. 95-310. This version is published as the last expression of legislative will (see Journal of the Senate 1995, p. 1061, and Journal of the House of Representatives 1995, p. 1129). Paragraph (3)(c) was also amended by s. 2, ch. 95-198, and that version reads:

(c) Ordinances initiated by the governing body or its designee which rezone specific parcels of private real property or which substantially change permitted use categories in zoning districts shall be enacted pursuant to the following procedure:

1. In cases in which the proposed rezoning or change in permitted use involves less than 5 percent of the total land area of the municipality, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land the municipality will rezone or whose land will be affected by the change in permitted use by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the public hearing, and a copy of the notice shall be kept available for public inspection during the regular business hours of the office of the clerk of the governing body. The governing body shall hold a public hearing on the proposed ordinance and may, upon the conclusion of the hearing, immediately adopt the ordinance.

2. In cases in which the proposed ordinance deals with more than 5 percent of the total land area of the municipality, the governing body shall provide for public notice and hearings as follows:

a. The local governing body shall hold two advertised public hearings on the proposed ordinance. Both hearings shall be held after 5 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct one or both of these hearings at another time of day. The first public hearing shall be held approximately 7 days after the day that the first advertisement is published. The second hearing shall be held approximately 2 weeks after the first hearing and shall be advertised approximately 5 days prior to the public hearing. The day, time, and place at which the second public hearing will be held shall be announced at the first public hearing.

b. The required advertisements shall be no less than one-quarter page in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be published in a newspaper of general paid circulation in the municipality and of general interest and readership in the community, not one of limited subject matter, pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least 5 days a week unless the only newspaper in the community is published less than 5 days a week. The advertisement shall be in the following form:

NOTICE OF ZONING (PERMITTED USE) CHANGE

The (name of local governmental unit) proposes to rezone (change the permitted use of) the land within the area shown in the map in this advertisement.

A public hearing on the rezoning will be held on (date and time) at (meeting place).

The advertisement shall also contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the area.

c. In lieu of publishing the advertisement set out in this paragraph, the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of both public hearings on the proposed ordinance.

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APRIL 7, 2009 COUNCIL MEETING

Ad Number: 832322502
 Insertion Number: 832322502
 Size: 2X11.0
 Color Type: B&W

Client Name: CITY OF NORTH MIAMI BEACH
 Advertiser: CITY OF NORTH MIAMI BEACH
 Section/Page/Zone: Special/NE27/Dade
 Description:

CITY OF NORTH MIAMI BEACH
 17011 N.E. 19TH AVENUE
 NORTH MIAMI BEACH, FLORIDA 33162

COUNCIL CONFERENCE MEETING TUESDAY, APRIL 7, 2009, 6:30 P.M. 4 TH FLOOR - CITY HALL AGENDA PREPARED BY THE MAYOR	CITY COUNCIL MEETING (REGULAR) TUESDAY, APRIL 7, 2009, 7:30 P.M. 2 ND FLOOR - CITY HALL AGENDA PREPARED BY THE CITY CLERK
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AGENDA

- ROLL CALL OF CITY OFFICIALS
- INVOCATION
- SALUTE TO AMERICAN FLAG
- REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS
- APPOINTMENTS/PRESENTATIONS
- APPROVAL OF MINUTES
- CITY MANAGER'S REPORT - KELVIN L. BAKER
 - MISCELLANEOUS ITEMS UPDATES.
 - U.S. CENSUS UPDATE.
- CITY ATTORNEY'S REPORT - DARCEE S. SIEGEL
- SCHEDULED CITIZENS APPEARANCE
- MISCELLANEOUS ITEMS
- WAIVER OF FEE
- BUSINESS TAX RECEIPT MATTERS - CITY CLERK
- ADMINISTRATION OF TESTIMONY OATH - CITY CLERK
- LEGISLATION:

RESOLUTIONS

R2009-20 GRANTING SITE PLAN APPROVAL TO CONSTRUCT A 10,586 SQ. FT. ADDITION TO AN EXISTING 18,461 SQ. FT. TWO-STORY OFFICE BUILDING - 15950 W. Dixie Hwy.

R2009-21 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY & MIAMI-DADE CO. FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR N.E. 18TH AVENUE ROADWAY IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$200,000; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT & FUTURE AMENDMENTS AS NECESSARY; & PROVIDING FOR AN EFFECTIVE DATE.

R2009-22 TO ENTER INTO AN URBAN & COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF FLA., DEPT. OF AGRICULTURE & CONSUMER SERVICES, DIV. OF FORESTRY.

R2009-23 ESTABLISHING CITY POLICY REGARDING THE SPONSORSHIP OF ALL CITY FUNCTIONS, FESTIVALS & EVENTS.

R2009-24 URGING THE FLA. DEPT. OF EDUCATION TO MAINTAIN CURRENT TRAINING STANDARDS FOR READING TEACHERS OF ENGLISH LANGUAGE LEARNERS ("ELL") IN FLORIDA'S PUBLIC SCHOOLS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLA. DEPT. OF EDUCATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; & PROVIDING FOR AN EFFECTIVE DATE.

R2009-25 AUTHORIZING THE CITY'S PARTICIPATION IN THE PRESCRIPTION DISCOUNT CARD PROGRAM OF THE NATIONAL LEAGUE OF CITIES, IN COLLABORATION WITH CVS CAREMARK.

ORDINANCES - FIRST READING BY TITLE ONLY:

02009-9 AN ORDINANCE AMENDING SECTION 2-49, ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NO. MIAMI BEACH, FLA. TO PROVIDE FOR THE REMOVAL OF BOARD MEMBERS FOR FAILURE TO ATTEND MEETINGS.

02009-10 AN ORDINANCE AMENDING SECTION 17-5.11, SIDEWALKS IN DANGEROUS CONDITION PROHIBITED; NOTICE REQUIRED, CONTENTS; PENALTY; OF THE CODE OF ORDINANCES OF THE CITY OF NO. MIAMI BEACH; CLARIFYING PROPERTY OWNERS' RESPONSIBILITY TO MAINTAIN SIDEWALKS ADJACENT TO THEIR PROPERTY; ESTABLISHING AUTHORITY OF CODE COMPLIANCE DEPT.

ORDINANCES - SECOND AND FINAL READING:

02009-8 AN ORDINANCE AMENDING CHAPTER 16, PROPERTY MAINTENANCE, OF THE CODE OF ORDINANCES OF THE CITY OF NO. MIAMI BEACH, FLA., 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.

 - UNSCHEDULED CITIZENS APPEARANCE
 - CITY COUNCIL REPORTS
 - RECESS (IF APPLICABLE)
 - ADJOURNMENT

NEXT CITY COUNCIL MEETING: TUESDAY, APRIL 21, 2009

NOTE: ALL CITIZENS PARTICIPATION ITEMS - OBSERVANCE OF THREE MINUTE TIME LIMIT

SOLOMON ODENZ, CITY CLERK * DARCEE S. SIEGEL, CITY ATTORNEY

SHOULD ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING ALL TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED. (F/S 286.0105)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 787-6001 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 948-2909 FOR ASSISTANCE.

HEARING AID SALE

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Richard M. Skelly M.C.A.P., N.B.C., H.I.S. A.C.A.
 Janet M. Skelly M.C.A.P., N.B.C., H.I.S. A.C.A.
 National Board Certified Audioprothologists

- If you hear, but don't always understand what people say.
- If you must ask others to repeat.
- If you are embarrassed by not being able to HEAR and UNDERSTAND when you ARE IN A NOISY ENVIRONMENT.

MAJOR BRANDS

PHONAK WIDEX
 SENSO MAGNATONE
 QUALITONE STARKEY
 OTICON RESOUND
 REXTON SIEMENS



STARKEY DIGITAL I.T.E.
 THE COMPETITION UP TO \$1595.00
 OUR DISCOUNT \$600.00
 OUR PRICE WITH THIS AD **\$995.00**

STARKEY DIGITAL CANAL
 THE COMPETITION UP TO \$2195.00
 OUR DISCOUNT \$700.00
 OUR PRICE WITH THIS AD **\$1495.00**

Expires
 4/11/09

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POMPAHO/MARGATE COCONUT CREEK 4887 Coconut Creek Plaza Coconut Creek, FL 33063 (954) 972-4626
HALLANDALE 2100 E. Hallandale Bch. Blvd. Suite 407, The Doctor's Bldg., Hallandale, FL 33009 (954) 458-1717

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New World Symphony
 American Symphony Academy
www.nwsymphony.com

BOHEMIAN RHAPSODY
 Friday, Saturday, April 10-11 at 7:30 PM

Maestro conductor: **Reinbert de Leeuw**
 Also featuring: **Alisa Weilerstein**, Cello
Lizbeth Lez, Flute
Colleen Ann, Clarinet and Oboe
Dyrel, Trombone No. 7

TICKETS \$28
 \$18
 \$12
 \$8

Saturday, April 18 at 7:30 PM
**Dutch Masters
 and Spiritual Journeys:**
 Sounds of the Times

Reinbert de Leeuw, conductor
 Stravinsky: Symphonies of Wind Instruments (1947 version)
 Crawford: Andante for String Orchestra
 Andriessen: *Vermeer Pictures* (U.S. premiere)
 Vivier: *Siddhartha*

Tickets \$15 Lincoln Theatre

The Suzi Salowe Family Trust
 Knight Foundation
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For tickets and information call 305-673-3331 or online at nws.edu
 All performances, artists, dates, venues, prices and programs subject to change.



CITY OF NORTH MIAMI BEACH

17011 N.E. 19TH AVENUE
NORTH MIAMI BEACH, FLORIDA 33162

COUNCIL CONFERENCE MEETING
TUESDAY, APRIL 7, 2009, 6:30 P.M.
4TH FLOOR - CITY HALL
AGENDA PREPARED BY THE MAYOR

CITY COUNCIL MEETING (REGULAR)
TUESDAY, APRIL 7, 2009, 7:30 PM
2ND FLOOR - CITY HALL
AGENDA PREPARED BY THE CITY CLERK

AGENDA

1. ROLL CALL OF CITY OFFICIALS
2. INVOCATION
3. SALUTE TO AMERICAN FLAG
4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS
5. APPOINTMENTS/PRESENTATIONS
6. APPROVAL OF MINUTES
7. CITY MANAGER'S REPORT - KELVIN L. BAKER
 - A. MISCELLANEOUS ITEMS UPDATES.
 - B. U.S. CENSUS UPDATE.
8. CITY ATTORNEY'S REPORT - DARCEE S. SIEGEL
9. SCHEDULED CITIZENS APPEARANCE
10. MISCELLANEOUS ITEMS
11. WAIVER OF FEE
12. BUSINESS TAX RECEIPT MATTERS - CITY CLERK
- 13A. ADMINISTRATION OF TESTIMONY OATH - CITY CLERK
- 13B. LEGISLATION:

RESOLUTIONS

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14. UNSCHEDULED CITIZENS APPEARANCE
15. CITY COUNCIL REPORTS
16. RECESS (IF APPLICABLE)
17. ADJOURNMENT

NEXT CITY COUNCIL MEETING: TUESDAY, APRIL 21, 2009

NOTE: ALL CITIZENS PARTICIPATION ITEMS - OBSERVANCE OF THREE MINUTE TIME LIMIT

SOLOMON ODINZ, CITY CLERK DARCEE S. SIEGEL, CITY ATTORNEY

IF ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL ENSURE THAT A VERBAL RECORD OF THE PROCEEDINGS IS MADE INCLUDING ALL OBJECTIONS AND EVIDENCE FOR WHICH AN APPEAL MAY BE FILED. (1-828-3135)

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK, NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 757-6664 FOR ASSISTANCE. IF BEARING IMPAIRED TELEPHONE OR TDD LINE AT (305) 757-6664 FOR ASSISTANCE.

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NOTICE OF PROPOSED ENACTMENT OF AN ORDINANCE BY THE CITY OF NORTH MIAMI BEACH, FLORIDA

NOTICE IS HEREBY GIVEN THAT ON TUESDAY, APRIL 7, 2009 AT 7:30 PM, THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 17011 N.E. 19 AVENUE, 2ND FLOOR, COUNCIL CHAMBERS, NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCE(S) ON SECOND AND FINAL READING AND PROPOSED PASSAGE THEREOF:

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.

SAID PROPOSED ORDINANCE(S) MAY BE INSPECTED BY THE PUBLIC AT THE CITY CLERK'S OFFICE, 17011 N.E. 19 AVENUE, DURING THE HOURS OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

SOLON OMENZ, CITY CLERK * DARCEE SIEGEL, CITY ATTORNEY

SHOULD ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING ALL TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED. (F/S 286.0705)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 787-8001 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 948-2939 FOR ASSISTANCE.

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REGULAR ELECTION - APRIL 7, 2009

CANVASSING BOARD SCHEDULE

DATE/TIME	LOCATION	ACTIVITY
Thursday April 2, 2009 10:00 a.m.	Miami-Dade County Elections Department 2700 NW 87 th Ave.	1. Logic and Accuracy Test of the touch screen and optical scan voting systems to be used for precincts and paper ballots



CITY OF NORTH MIAMI BEACH
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BY THE CITY OF NORTH MIAMI BEACH, FLORIDA

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SOLOMON ODENZ, CITY CLERK * DARCEE S. SIEGEL, CITY ATTORNEY

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APRIL 21, 2009 COUNCIL MEETING

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CITY OF NORTH MIAMI BEACH
 17011 N.E. 19TH AVENUE
 NORTH MIAMI BEACH, FLORIDA 33162

COUNCIL CONFERENCE MEETING TUESDAY, APRIL 21, 2009, 6:30 P.M. 4 TH FLOOR - CITY HALL AGENDA PREPARED BY THE MAYOR	CITY COUNCIL MEETING (REGULAR) TUESDAY, APRIL 21, 2009, 7:30 P.M. 2 ND FLOOR - CITY HALL AGENDA PREPARED BY THE CITY CLERK
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AGENDA

1. ROLL CALL OF CITY OFFICIALS
2. INVOCATION
3. SALUTE TO AMERICAN FLAG
4. REQUESTS FOR WITHDRAWALS, DEVERMENTS AND ADDITIONS
5. APPOINTMENTS/PRESENTATIONS
6. APPROVAL OF MINUTES
7. CITY MANAGER'S REPORT - KELVIN L. BAKER
 - A. MISCELLANEOUS ITEMS
 - B. VICTORY POOL SLIDE
8. CITY ATTORNEY'S REPORT - DARCEE S. SIEGEL
9. SCHEDULED CITIZENS APPEARANCE
10. MISCELLANEOUS ITEMS
11. WAIVER OF FEE
12. BUSINESS TAX RECEIPT MATTERS - CITY CLERK
- 13A. ADMINISTRATION OF TESTIMONY OATH - CITY CLERK
- 13B. LEGISLATION:

RESOLUTIONS

- R2009-26** NAMING THE CITY'S CASHIERS' OFFICE IN LOVING MEMORY OF ANITA EDELMAN.
- R2009-27** GRANTING CONDITIONAL USE APPROVAL TO ENLARGE AN EXISTING PACKAGE LIQUOR STORE - 14750 DISC. BLVD.
- R2009-28** AUTHORIZING & DIRECTING THE CITY MANAGER, PURSUANT TO CITY POLICIES, STATE & FEDERAL LAW, TO DONATE SURPLUS SUPPLIES & EQUIPMENT TO THE IMPOVERISHED NATION OF HAITI, DESIGNATING EQUIPMENT AS SURPLUS & EARMARKING FOR DONATION TO HAITI.
- R2009-29** URGING PRESIDENT OBAMA TO GRANT TEMPORARY PROTECTIVE STATUS TO HAITIANS IN THE UNITED STATES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS AS STATED HEREIN.
- R2009-30** PROMOTING AMERICAN WITH DISABILITIES ACT (ADA)'S AWARENESS, ENDORSING RELEVANT & EFFECTIVE CRITERIA FOR RENEWAL OF ADA PARKING PERMITS, & SUPPORTING STRICT SCRUTINY & MONITORING OF HANDICAP ACCESSIBILITY PROGRAM IMPLEMENTATION; DECLARING THE THIRD WEEK OF JULY ADA AWARENESS WEEK.

ORDINANCES - FIRST READING BY TITLE ONLY:

- O2009-11** AN ORDINANCE AMENDING SECTION 2-82.4 OF THE CODE OF ORDINANCES OF THE CITY OF NO. MIAMI BEACH, FLA. REVISING THE PROCEDURE FOR REMOVING BOARD AND/OR COMMISSION MEMBERS FOR FAILURE TO ATTEND MEETINGS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR THE CODIFICATION OF THIS ORDINANCE.

ORDINANCES - SECOND AND FINAL READING:

- O2009-9** AN ORDINANCE AMENDING SECTION 2-48, ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NO. MIAMI BEACH, FLA. TO PROVIDE FOR THE REMOVAL OF BOARD MEMBERS FOR FAILURE TO ATTEND MEETINGS

14. UNSCHEDULED CITIZENS APPEARANCE
15. CITY COUNCIL REPORTS
16. RECEIPTS (IF APPLICABLE)
17. ADJOURNMENT

NEXT CITY COUNCIL MEETING: TUESDAY, MAY 5, 2009

NOTE: ALL CITIZENS PARTICIPATION ITEMS OBSERVANCE OF THREE MINUTE TIME LIMIT

SCHEMOM ODENZ, CITY CLERK - DARCEE S. SIEGEL, CITY ATTORNEY

SHOULD ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL ENSURE THAT A VERIFIED RECORD OF THE PROCEEDINGS IS MADE AND THAT ALL TESTIMONY AND EVIDENCE CITY ORDINANCE APPEAL MAY BE FILED: 65-280-0100

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS SEEKING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK 90 LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE: 305-763-0100 FOR ASSISTANCE. IF HEARING IMPAIRED: 311 FRIEST CIRCLE 1300 AT 001-948-2000 FOR ASSISTANCE.

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CITY OF NORTH MIAMI BEACH

17011 N.E. 19TH AVENUE
NORTH MIAMI BEACH, FLORIDA 33162

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FEDERAL GOVERNMENT

Officials accused of lying

Several investigators have been charged with giving false statements when conducting security clearance checks for people applying for federal government jobs.

BY DEL QUINTIN WILBER
Washington Post Service

WASHINGTON — A half-dozen investigators conducting security clearance checks for the federal government have been accused of lying in the reports they submitted to the Office of Personnel Management, which handles about 90 percent of the background probes for more than 100 agencies.

Federal authorities said they do not believe that anyone received a job or security clearance when they did not deserve one or that investigators intentionally helped people slip through the screening. Instead, law enforcement officials said, the investigators lied about interviews they never conducted because they were overworked, cutting corners, trying to impress their bosses or, in the case of one contractor, seeking to earn more money by racing through the checks.

But outside experts said they were concerned about the false reports, given the increasing number of sensitive positions requiring such checks and the pressure to process applications for hundreds of incoming Obama

administration officials. "It's a scandal by this," said Kenneth Mead, a former inspector general for the Department of Transportation, who called for an audit. "It never occurred to me that investigations would be falsified. I can't tell you how automatic my reliance was on these reports. If someone were to slip through the net and get a clearance, it could be costly to the government."

SIX CHARGED

Since 2007, federal prosecutors have charged six investigators — in Connecticut, Maryland and the District of Columbia — with making false statements. More could be charged, law enforcement sources said. Three of the investigators were OPM employees; the others were contractors for private companies, including U.S. Investigation Services and Kroll, according to court records. Representatives of both companies said the firms have taken steps to prevent such problems in the future.

Five investigators have pleaded guilty; one was convicted last year after a week-long trial in federal court in the District. Most have received probation. Two await sentencing.

In court papers, prosecutors say the workers lied about having interviewed the friends, co-workers or ex-professors of applicants seeking

jobs requiring security clearance at Treasury, Defense and other agencies.

One investigator admitted he lied in 30 of 67 background investigations. Another said he lied in a dozen. Sometimes investigators conducted cursory interviews of just a few minutes, too truncated to gather meaningful information about applicants' potential drug use, associations, foreign travel and loyalty.

"This is a serious problem that needs to be addressed," Assistant U.S. Attorney Ellen Chubin Epstein said during the February sentencing of the investigator, the same day two others pleaded guilty in the same District federal courthouse. In court papers in another case, Epstein wrote that such lax investigations "can pose a serious risk to national security."

BACKGROUND CHECKS

OPM's 1,540 staff investigators and 5,300 contractors conducted more than two million background checks last year. More than 825,000 of those involved applicants seeking access to classified information, OPM officials say. The investigations, which often require record checks, can cost thousands of dollars and take more than 50 hours. After completing an investigation, OPM forwards the report to the requesting agency, which decides whether to hire the

applicant or give them security clearance.

Kathy Dillaman, associate director of OPM's federal investigative services division, said the agency had handled such problems internally in the past. But officials had grown concerned that the number of such transactions was rising with the agency's workload. The number of background checks conducted by OPM has risen about 22 percent since 2006. Dillaman said officials decided to send a stronger message by prosecuting offenders.

"Candidly, taking administrative action and firing an individual wasn't stopping or stalling this from happening," she said.

Dillaman said the agency discovered the false reports after mailing questionnaires to about 20 percent of those whom investigators said they had interviewed. The Government Accountability Office also has raised questions about the thoroughness of OPM's reports. In December, GAO reported that almost 90 percent of a sampling of reports sent to the Defense Department were missing at least one type of record document.

Dillaman said OPM was constantly striving to deliver background reports quickly, but at the same time to conduct comprehensive assessments of applicants.

THE WHITE HOUSE

Obama plays host at Seder dinner

Several presidential aides and family friends were invited to what White House officials said was the first Seder meal hosted there.

WASHINGTON — (AP) — President Barack Obama hosted close friends and staff at a private White House meal Thursday evening to mark Passover. It's part of the new president's effort to reach out to Jewish voters.

The White House said the Seder meal was traditional, including matzo, bitter herbs, a roasted egg and greens in the family dining room in the executive mansion. The evening also featured the reading of the Haggadah, the religious text of the holiday.

Passover began at sundown Wednesday. It celebrates the Jewish exodus from Egypt after 400 years of slavery.

Among those invited was Valerie Jarrett, one of Obama's closest advisors, and family friend Eric Whitaker, who was visiting from Chicago and attended a Seder last year with the couple. First lady Michelle Obama and the family's two daughters also planned to attend.

The staff guest list included aides from the campaign trail who marked last year's Passover at the Sheraton hotel in Harrisburg, Pa. Obama's personal aide, Reggie Love; Michelle Obama's deputy chief of staff, Melissa Winter; personal aide Dana Lewis and associate social secretary Samantha Tubman all received invitations.

Also on the guest list were Eric Lesser, a personal aide to senior advisor David Axelrod, and his family. Lesser worked during the New Hampshire primary and later handled baggage for traveling reporters. White House videographer Arun Chaudhary — a constant presence on the trail — landed invitations for his family.

Others in the exclusive group included Michelle Obama's counsel and friend Steve Lippman, a former aide, a staff assistant to Vice President Joe Biden's policy and economic advisors; and White House deputy director of advance and special events Lisa Kohlke.

White House aides said they believe it was the first president-hosted Seder at the White House.

ARMED FORCES

Military expands testing of soldiers for brain injuries

Testing for traumatic brain injuries, the signature disability of wars in Afghanistan and Iraq, has increased as doctors try to improve veterans' treatment.

FORT CAMPBELL, Ky. — (AP) — Every soldier who's gone to war in the past year paused before leaving to take a brain test — basic math, matching numbers and symbols and identifying patterns to measure response time and accuracy.

Now that some of these troops have returned, they're taking a fresh round of tests, all part of a broad effort by the military to better treat head injuries.

The Department of Defense is also deploying some unusual weapons or treating the injuries, including paint guns and motion-sensitive video games integrated into therapy at new trauma centers around the country.

OBAMA BOOSTS FUNDS

Funding for the treatment of these injuries is expected to increase under President Barack Obama, who said Thursday his new military and veterans affairs budget will focus on diagnosing brain injuries and psychological disabilities that have gone untreated.

More than 150,000 service members from the Marines, Air Force, Army and Navy have undergone the testing that became mandatory last year. Those who suffer a concussion or similar head injury will get a follow-up test.

The 101st Airborne Division is the only division going a step further and testing all soldiers again over the last few months as they have been returning to Fort Campbell from tours in Iraq and Afghanistan.

The tests alone can't diagnose traumatic brain injuries, the signature injury of the wars. Damage can be incurred from an exploding roadside bomb, a mortar blast or a vehicle crash.

But the tests help doctors zero in on which mental functions are damaged and the best way to treat that by comparing an individual soldier's brain function before and after the injury.

INDIVIDUALIZED CARE

Dr. David Twillie, director of newly created what injury care center at Fort Campbell, says the individual results are necessary "because the brain is a fairly complex organ and because when they experience a fall or a blast, there's no way to necessarily pinpoint what particular structures within the brain were injured, because the injuries are microscopic in nature."

"So it's not really one-size-fits-all," he said.

Military doctors estimate that 10 percent to 20 percent of soldiers sent to Iraq or Afghanistan suffer a TBI. Symptoms can range from minor headaches or dizziness to memory loss or vision problems. And it can take some soldiers a while to realize how soon or severely they've been affected.

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CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT
OF AN ORDINANCE BY THE CITY OF NORTH MIAMI BEACH, FLORIDA
NOTICE IS HEREBY GIVEN THAT ON TUESDAY, APRIL 10, 2009 AT 7:00 PM IN THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 1101 N.W. 15 AVENUE, 27 FLOOR, CORNER COURTESY NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCES ON NOTICE AND FINAL READING AND APPROVED THEREOF:
ORDINANCE NO. 2009-01
AN ORDINANCE AMENDING SECTION 17.03(b)(4), SEPARABLE JOINT RESOLUTION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA TO PROVIDE FOR THE SCHEDULE OF FUTURE BUDGETARY COUNCIL MEETINGS TO BE HELD IN THE PUBLIC AND THE OFFICIALS' SCHEDULE, 2009 TO BE AMENDED, BY THE ADVICE OF A 60% MAJORITY VOTE IN A REGULAR MEETING.
ALL INTERESTED PARTIES MAY SIGN UP AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCES.
CITY CLERK
CITY OF NORTH MIAMI BEACH, FLORIDA

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WLRN
SOUTH FLORIDA ARTS BEAT, 1 P.M.: Blues band King muddfish performs from our Miami studios.

some unusual weapons for treating the injuries, including paint guns and motion-sensitive video games integrated into therapy at new trauma centers around the country.

OBAMA BOOSTS FUNDS
Funding for the treatment of these injuries is expected to increase under President Barack Obama, who said Thursday his new military and veterans affairs budget will focus on diagnosing brain injuries and psychological disabilities that have gone untreated.

More than 150,000 service members from the Marines, Air Force, Army and Navy have undergone the testing that became mandatory last year. Those who suffer a concussion or similar head injury will get a follow-up test.

of a newly opened injury care center at Campbell, says the individual results are necessary "because the brain is a complex organ and because they experience a blast, there's no way to necessarily pinpoint what particular structures within the brain were injured, because the injuries are microscopic in nature."

"So it's not really one fits-all," he said. Military doctors estimate that 10 percent to 20 percent of soldiers sent to Iraq or Afghanistan suffer a concussion. Symptoms can range from headaches or dizziness to memory loss or problems. And it can take some soldiers a while to realize how severely they've been affected.

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from Egypt after 400 years of slavery.
Among those invited was Valerie Jarrett, one of Obama's closest advisors, and family friend Eric Whitaker, who was visiting from Chicago and attended a Seder last year with the campaign. First lady Michelle Obama and the family's two daughters also planned to attend.

Susan Sher, Herbie Ziskind, a staff assistant to Vice President Joe Biden's policy and economic advisors, and White House deputy director of advance and special events Lisa Kohnke.

White House aides said they believe it was the first president-hosted Seder at the White House.

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CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT OF AN ORDINANCE BY THE CITY OF NORTH MIAMI BEACH, FLORIDA

NOTICE IS HEREBY GIVEN THAT ON TUESDAY, APRIL 21, 2009 AT 7:30 PM, THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 17011 N.E. 19 AVENUE, 2ND FLOOR, COUNCIL CHAMBERS, NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCE(S) ON SECOND AND FINAL READING AND PROPOSED PASSAGE THEREOF:

ORDINANCE NO. 2009-9
AN ORDINANCE AMENDING SECTION 246, ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, TO PROVIDE FOR THE REMOVAL OF AND MEMBERS FOR FAILURE TO ATTEND MEETINGS.

SAID PROPOSED ORDINANCE(S) MAY BE INSPECTED BY THE PUBLIC AT THE CITY CLERK'S OFFICE, 101 N.E. 19 AVENUE, DURING THE HOURS OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

SOLOMON OWENS, CITY CLERK • JARCEE S. SEGEL, CITY ATTORNEY

SHOULD ANY PERSON BE AFFECTED BY THIS NOTICE, AND DESIRE TO COMMENT ON THIS NOTICE, THEY SHOULD CONTACT THE CITY CLERK'S OFFICE AT (305) 944-1100. A FILING OF THIS NOTICE DOES NOT CONSTITUTE AN OFFICIAL ACTION OF THE CITY. THE CITY COUNCIL WILL CONSIDER THIS NOTICE AT ITS NEXT REGULAR MEETING. THE CITY COUNCIL'S ACTION ON THIS NOTICE IS SUBJECT TO THE CITY CLERK'S CONFIRMATION OF THE CITY COUNCIL'S ACTION.

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LE PRICES & EVENT VALID AT ALL MACYS STORES IN FLORIDA EXCEPT WEST PALM BEACH MALL. REG. AND ORIG. PRICES ARE OFFERING PRICES, AND SAVINGS MAY NOT BE BASED ON ACTUAL SALES. SOME ORIG. PRICES NOT IN EFFECT DURING THE PAST 90 DAYS. SALE PRICES IN EFFECT THROUGH APRIL 11, 2009 EXCEPT AS NOTED. Due to consolidation, some prices may be different at our local Macys. You will receive prices at or lower than prices advertised here. Reg./Now and Special Purchase items will remain at advertised prices after the event and are available while supplies last. Sales apply to selected items only. Everyday values are excluded from "sales" and coupons/Macy's Card savings. This advertisement applies to Macys' stores in Florida. Prices and merchandise may differ on macys.com. Verified items may not be available at your local Macys, and selections may vary. Some Reg./Sale items in this ad may have been permanently reduced for clearance. This ad was finalized. "Macy's Star Rewards Card discount valid April 10 and 11, 2009. Entitles you to an extra 15% off Apparel; extra 10% off Fine Jewelry, Home, Men's Shoes, Women's Shoes, Handbags, Accessories, Sterling Silver, & Fashion Jewelry, Time Apparel, Men's Suits, Suit Separates and Sportcoats; regular and sale-priced purchases made with your Macy's Star Rewards Card. Excludes: Women's Macys' purchases; Shoes; Handbags & Accessories; Coach, Dooney & Bourke, Desig. ner Salin roes, Designer Handbags; Men: Emporio Armani, Ralph Lauren, Tommy Bahama, Polo, Lacoste, Kids: Polo, Lacoste, FAO Schwarz; Home: Lacoste, Waterford, China, Crystal and Silver, Baccarat, Lalique, William Yeoward, Sterling Flatware, Wüsthof, Allrad, Hensdels, Tumi, Electronics and Accessories, Furniture, Furniture Accessories, Area rugs, Mattresses, Gift Registry Kiosks. Also excludes: Prior Purchases, Special Orders, pedials, Super Buys, Everyday Values, Clearance and New Reductions, Cosmetics, fragrances, Watches, Sunglasses, Optical, Licensed Departments, eSport, Restaurants, Macy's Gift Cards, Gift Wrap Services, Payment on Macy's Credit Account, macysawed-ingchannel.com, macys.com. Cannot be combined with any savings pass, extra discounts or credit offer, except operating a new Macy's account. Macy's employees not eligible for Fine Jewelry extra discount. Valid at Macy's stores in Florida.

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SOUTH FLORIDA ART BEAT, 1 P.M.: Blues band King muddfish performs from our Miami studios.



CITY OF NORTH MIAMI BEACH
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BY THE CITY OF NORTH MIAMI BEACH, FLORIDA

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ORDINANCE NO. 2009-9

AN ORDINANCE AMENDING SECTION 2-49, ECONOMIC DEVELOPMENT COMMISSION, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA TO PROVIDE FOR THE REMOVAL OF BOARD MEMBERS FOR FAILURE TO ATTEND MEETINGS.

SAID PROPOSED ORDINANCE(S) MAY BE INSPECTED BY THE PUBLIC AT THE CITY CLERK'S OFFICE, 17011 N.E. 19 AVENUE, DURING THE HOURS OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

SOLOMON ODENZ, CITY CLERK * DARCEE S. SIEGEL, CITY ATTORNEY

SHOULD ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING ALL TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED. (F/S 286.0105)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 787-6001 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 948-2909 FOR ASSISTANCE.

JULY 7, 2009 COUNCIL MEETING

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 Size: 2X5.0
 Color Type: B&W

Client Name: CITY OF NORTH MIAMI BEACH
 Advertiser: CITY OF NORTH MIAMI BEACH
 Section/Page/Zone: Metro And State/B5/Dade
 Description:

Publication Date: 06/26/2009

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killing lost an appeal she based on her lawyers' alleged bad advice.

By JAY WEAVER
 jweaver@miamiherald.com

Yuby Ramirez — a single mom sentenced to life for a supporting role in the murder of a government witness — just lost her big shot at freedom.

A federal magistrate judge in Miami has rejected her bid to get out of prison based on a claim that her defense lawyers gave her bad advice when she turned down a plea offer for a five-year sentence before trial in 2001.

Ramirez, 37, was convicted of the 1993 contract hit on a narco-smuggler who was going to testify against Miami drug lords Sal Magluta and Willie Falcon. She is serving a life sentence at a Tallahassee federal prison.

Ramirez, mother of two grown daughters, testified at a hearing last month that her lawyers never told her she would face a life sentence when they advised her not to accept the government's pretrial plea offer. Had she known she could be spending the rest of her life in prison, she said, she would have taken the deal.

But Magistrate Barry Garber concluded Ramirez was not "prejudiced" by her lawyers' poor advice, a critical ruling that will make further appeals extremely difficult.

In his decision, Garber found that Ramirez's lawyers — assistant federal public defenders Reuben Camper Cahn and Mary Barzee — had to know that their client faced a potential life sentence before trial because the issue came up in motions to dismiss the indictment and continue the trial.

Cahn testified at Ramir-

her of the potential sentence before trial because he and Barzee believed the indictment charged her with manslaughter — not premeditated first-degree murder — and that she would face at most 10 years in prison if convicted.

He also said the defense believed the statute of limitations had expired on a manslaughter charge.

The federal magistrate wasn't convinced. "It is difficult, if not impossible, for [me] to accept the fact that Mr. Cahn was not fully aware of the possibility of life imprisonment after having received [Lenard's] ruling denying his various pretrial motions regarding the statute of limitations and the insufficiency of the language of the indictment," Garber wrote in his eight-page ruling released late Wednesday.

Garber took an apparently different view of Ramirez's habeas petition at her hearing last month, when he challenged the government's position.

Ramirez's attorney, David O. Markus, who has been working pro bono on her appeal, said he was taken aback by the magistrate's ruling. He said he is "determined to fight this case" nevertheless.

Ramirez's life sentence seems remarkable now because two of the Colombians who organized the hit on Magluta-Falcon associate Bernardo Gonzalez — getting paid \$120,000 apiece — have already been released from prison.



RAMIREZ

BY DAVID OVALLE
 dovalle@miamiherald.com

Backtracking on his earlier decision, a Miami-Dade judge Thursday agreed to grant bail to an Aventura developer who is accused of strangling his wife.

Adam Kaufman, 33, can be released on a \$500,000 bond to await trial on a second-degree murder charge, Circuit Judge David Miller ruled.

Miller said he set the hearing after reflecting on the case on Father's Day and consider-

MIAMI
Regalado must quit, but could keep job

MIAMI Commissioner Tomás Regalado, who is running for mayor, has to resign 60 days before the election. Now he's hoping his colleagues will appoint him to replace himself.

BY BETH REINHARD
 breinhard@miamiherald.com

Miami Commissioner Tomás Regalado learned Thursday that he has to place his trust in his political opponents — and Mother Nature — to oversee an orderly transition to his successor.

Regalado, whose term isn't up until 2011, plans to resign his seat to run for mayor in the Nov. 3 election. The resignation must be effective 60 days before the election. Then the commission has 10 days to appoint a replacement, who serves until a new commissioner is chosen Nov. 3.

He could become his own replacement.

As the obscure, technical election laws were spelled out at Thursday's commission meeting, Regalado faced the

bottom line: Will his colleagues on the dais — including his mayoral rival, Commission Chairman Joe Sanchez — appoint him as his own replacement so he can serve continuously until the election?

"It's like buying a Fantasy 5 Lottery ticket," quipped Regalado after the commission broke for lunch. "My point is not so much about what happens to me, but to make sure that one-fifth of the city is not disenfranchised."

Prosecutors allege Adam Kaufman strangled Eleonora Kaufman, 33, in the bathroom of their Aventura house, then lied by claiming she fell and hit her neck on a bathroom magazine holder.

Eleonora Kaufman's death had remained unclassified until April, when Dr. Bruce A. Hyma, the chief medical examiner, ruled she died from

tan may have caused a violent allergic reaction in Eleonora, causing her to fall on a magazine rack in the bathroom.

On June 3, after a two-day bond hearing, Miller ruled that prosecutors had shown enough evidence to keep Kaufman behind bars while awaiting trial.

But last Sunday, Miller said, he regretfully remembered a man who lost custody of his children during a court case. That made him think about Kaufman and his children, who are living with

there's a storm?" he asked, speculating as to whether a hurricane might prevent commissioners from appointing a replacement.

In an unrelated matter, Commissioner Marc Sarnoff pushed the developer of a 21,000-square-foot office building in Coconut Grove to amend plans to build just 22 feet from the water. The proposed Grove Harbor Marina was not included in the city's waterfront master plan, which was debated at a series of public hearings.

MIAMI-DADE
Puppies' theft caught on video

BY DAVID SMILEY
 dsmiley@miamiherald.com

Miami-Dade police are searching for several crooks who were caught on video as they pilfered puppies from a Southwest Miami-Dade pet shop and then drove away with a store employee dragging beside their car.

According to Detective Aida Fina-Milian, a police spokeswoman, two women walked into a pet store in the 6700 block of Southwest 40th Street on the afternoon of June 8 and began looking for the perfect pups.

Police said they had no intention of paying for them.

When one of the women started stuffing Chihuahua puppies into a black bag, store employee Rafael Sanchez, 32, noticed and approached her.

That was when the second woman, clad in pink nurse's scrubs, jumped in front of Sanchez to block him as the other woman ran from the store. The woman who had grabbed four Chihuahua puppies scurried into a white Lexus SUV. Sanchez gave chase and was somehow able to get a handle on the bag.

As Sanchez fought with the woman in the car, the second puppy-snatcher ran from the store with two Yorkies in tow.

The driver of the Lexus hit the gas. Sanchez was dragged about 200 feet before he fell to the ground, suffering minor scratches and bruises.

Investigators are now looking for the women and their male getaway driver. Investigators believe there may have been a second man in the getaway car as well.

Police asked anyone with information to call Miami-

CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT OF AN ORDINANCE BY THE CITY OF NORTH MIAMI BEACH, FLORIDA

NOTICE IS HEREBY GIVEN THAT ON TUESDAY, JULY 7, 2009 AT 7:30 PM, THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 1901 N.E. 19 AVENUE, 2ND FLOOR, COUNCIL CHAMBERS, NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCES OR RESOLUTIONS AND FINAL READING AND PROPOSED PASSAGE THEREOF:

ORDINANCE NO. 2009-12
 AN ORDINANCE AMENDING CHAPTER 18, 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, CUBANIAN APPEARS COMMITTEE, DELETING IN ITS ENTIRETY SECTION 2-41, CUBANIAN APPEARS 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 COMMENCEMENT OF THIS ORDINANCE.

ORDINANCE NO. 2009-14
 AN ORDINANCE AMENDING CHAPTER XX, THE PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, BY THE DELETION OF ITS ENTIRETY OF SECTION 15, STATUTORY EMPLOYEES, OPERATIONS AND FIREMEN PROVIDING FOR SEVERABILITY, PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR THE COMMENCEMENT OF THIS ORDINANCE PROVIDING FOR AN EFFECTIVE DATE.

SAID PROPOSED ORDINANCES MAY BE INSPECTED BY THE PUBLIC AT THE CITY CLERK'S OFFICE, 1901 N.E. 19 AVENUE, DURING THE HOURS OF 9:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MUST APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

MIAMI-DADE COUNTY
OPENINGS FOR THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST

Applications are now being accepted for the Board of Trustees of the Public Health Trust of Miami-Dade County, the governing authority for Jackson Health System. Trustees serve without compensation for staggered terms of three years. There are six vacancies for the 2009 appointment process. The PHT Nominating Council will contact selected applicants for interviews and a background check. The Miami-Dade Board of County Commissioners, upon recommendation of the Nominating Council, will make appointments to the Board of Trustees.

This is a re-advertisement. Subsequent to the initial advertisement period that ended June 3rd, another vacancy arose on the Board of Trustees caused by the resignation of a trustee. The resignation increased the number of vacancies from five, as set forth in the initial advertisement, to six. If you already submitted your application during the period between May 27 - June 3, you do NOT need to reapply.

Application forms may be obtained from the County Executive Office, 111 NW 1st Street, Suite 2910, or online at www.miamidadecounty.gov. All applications must be received by Diane Collins, Acting Division Chief, Clerk of the Board, at 111 NW 1st Street, Suite 17-202, Miami Florida, 33128 no later than July 2, 2009 by 4:00pm. Emails or facsimiles of the application will be accepted and can be sent to clerk@pht.miamidadecounty.gov or faxed to 305-375-2484. It is the responsibility of the applicant to ensure electronic receipt of the application by calling the Clerk of the Board at 305-375-1652. For additional information regarding the application process, please call

CITY OF HIALEAH FLOODPLAIN NOTICE
NOTICE OF EXPLANATION

In accordance with the requirements of Presidential Executive Order 11988, the City of Hialeah has evaluated alternatives to the proposed construction of a multi-story affordable rental apartment building for elderly tenants at 525 West First Avenue. As a result, it has been determined that there is no practicable alternative but to implement the project as previously described in a public notice. This notice is required since federal funds will be used to support the project. Reasons for proceeding with the project are as follows:

1. The proposed development has been identified by the City of Hialeah as necessary to meet the needs and improve the lives of residents.
2. The proposed project will be built in a highly developed urban area.
3. Much of the City of Hialeah is located in the 100-year floodplain. Requiring all project locations to be outside the floodplain would be difficult and would most likely mean that this affordable housing could not be provided.
4. There is a scarcity of available land in Hialeah and the City owns the property.
5. All activities in this project will be subject to the requirements of the City of Hialeah's Floodplain Management Plan.

As a result of this evaluation, the only required mitigative measure in carrying out project activities will be the standard permitting and floodplain management processes.

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
 June 26, 2009

City of Hialeah
 501 Palm Avenue
 Hialeah, Florida 33010
 (305) 883-8040

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Hialeah.

REQUEST FOR RELEASE OF FUNDS
 On or about July 13, 2009, the City of Hialeah will submit a request to HUD for the release of federal CDBG-NSP funds for the purpose of constructing a 33-unit affordable rental apartment building to be located at 525 West 1st Street in the Hialeah Downtown Urban Center District.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
 It has been determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Hialeah, 501 Palm Avenue, Hialeah, Florida 33010 and is available for public examination and copying upon request at the Grants and Human Services Department.

PUBLIC COMMENTS ON FONSI
 Any interested individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Frederick H. Marinelli, Director, Department of Grants and Human Services, City of Hialeah, 501 Palm Avenue, Hialeah, Florida 33010. All comments received by July 12 will be considered by the City of Hialeah prior to submission of a request for release of funds. Comments should specify which Notice they are addressing.

REQUEST FOR RELEASE OF FUNDS
 The City of Hialeah certifies to HUD that Julio Robana in his capacity as Mayor of Hialeah consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of Hialeah to use program funds.

OBJECTIONS TO RELEASE OF FUNDS
 HUD will accept objections to its release of funds and Hialeah's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of Hialeah; (b) the City of Hialeah has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Ubaldino Catzoff, U.S. HUD, Enclosed Plaza Federal Building, 909 SE First Avenue, Room 500, Miami, FL 33131-3028. Potential objectors should contact HUD to verify the actual last day of the objection period.

Julio Robana, Mayor
 City of Hialeah
 501 Palm Avenue



CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT
OF AN ORDINANCE BY THE
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ORDINANCE NO. 2009-12

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.

ORDINANCE NO. 2009-14

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.

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ALL INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

SUSAN A. OWENS, CMC, CITY CLERK • DARCEE S. SIEGEL, CITY ATTORNEY

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JULY 21, 2009 COUNCIL MEETING

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 Insertion Number: 836895201
 Size: 2X5.0
 Color Type: B&W

Client Name: CITY OF NORTH MIAMI BEACH
 Advertiser: Metro And State/B6/Dade
 Section/Page/Zone: Metro And State/B6/Dade
 Description:

personalties.
 BY BILL KACZOR
 Associated Press Writer
TALLAHASSEE — The butterfly decals on the front bumper, flowers in the dashboard vase and lime-green paint job only confirmed Dennis Slice's perception of a Volkswagen Beetle parked in a lot at Florida State University.

Slice, a shape analysis researcher, said the narrow body, wide-eyed circular headlights, tall windshield and curve of the bug's hood match the facial features of a smiling woman or child.

"This is the classic cute car — not dominant, not aggressive," said Slice, an associate professor of scientific computing at FSU. "I don't think anyone could be mean to someone else in a Volkswagen Beetle."

Slice and fellow researchers at Austria's Vienna University, where he's a guest professor, are exploring the widely held belief that cars project personalities because they look like human faces when viewed head-on.

Cartoonists, for instance, long have drawn anthropomorphic cars with toothy grills that



THE DOCTOR IS IN: Dennis Slice, an FSU associate professor of scientific computing analyzes a Volkswagen Beetle's personality.

grinned or frowned and headlights that winked or blinked. The creators of animated film *Cars*, though, used windshields for eyes. They worried headlight peepers would have given racer Lightning McQueen and other denizens of Radiator Springs a snakelike appearance.

SPECTRUM OFFERED

Three vehicles parked near the Beetle offer examples of the opposite end of the personality spectrum. A Mitsubishi Eclipse, Ford Mustang and Dodge Charger each practically ooze testosterone.

Their low, wide stances, long hoods, gaping grills and relatively narrow headlights give each of these sporty models a look that's consistent with the facial features of an adult male, Slice said. Each projects a mature, dominant, aggressive and powerful personality.

"This is a car that's ready to take care of business," he said standing in front of the Eclipse. "You don't want to mess with this car."

Slice and his Vienna colleagues hope their work one day may help designers determine what parts of a car, such as the headlights, grill or windshield, they can change — and how — to project traits that make cars more appealing to different kinds of customers.

They're taking the emerging field of shape analysis, or morphometrics, in a new direction. Most other applications have been biological or medical. For example, researchers are trying to determine if bone shapes can be used to help identify the age, gender and race of unknown human remains and how variations in facial features affect the fit and function of respirators.

The idea of seeing faces in inanimate objects is part of a survival instinct that goes back to prehistoric times, Slice said.

Facial features offering clues about a person's sex, age, emotions and intentions helped early humans "know whether the guy that just stepped out of the

people also tend to see faces even where they don't exist.

"If you get it wrong and you see a face in a cloud or a stone or a mountain or some burnt toast then you might be frightened a little bit, but it's no real cost to you," Slice said. "But if you should ever miss a face and that person wants your head, then that's a serious omission."

Slice said future research may look at whether cars' personalities relate to drivers' habits and interactions.

"Possibilities are if you see an aggressive car in your rear view mirror you may be more likely to pull over and yield to it," he said. "By the same token, if you see a submissive or more immature car trying to get into traffic you may be more likely to yield to it and help the innocent little car get into traffic."

CARS VS. DRIVERS

Another question is whether drivers have the same personalities as their cars.

Slice got a bit of anecdotal evidence in the parking lot from Gwen Oliver, a custodial supervisor at Florida State, after telling her that her black Eclipse is dominant, aggressive, powerful and "ready to take care of business."

"I am. Everything you said, I'm like that," Oliver told him after she briskly walked over to see why he was interested in her car. "I'm aggressive, I'm straightforward and I'm outgoing and I believe in getting the job done."

slaying of couple who adopted 12 children.

PENSACOLA, Fla. — (AP) — Investigators asked the public to be on the lookout Friday for a red van they believe carried three men involved in the deaths of a Florida Panhandle couple shot in their rural home while eight of their children slept.

Surveillance cameras showed the van at the home of Byrd and Melanie Billings in Beulah, a rural area west of Pensacola near the Alabama border, Escambia County Sheriff David Morgan said. The children were unharmed.

The sheriff's office released an enhanced but still grainy photograph of a red, 15-passenger van dating to the late 70s or early 80s.

Morgan said investigators did not know who killed the wealthy couple known for adopting children with developmental disabilities, many born to drug-addicted mothers. But they said they wanted to question the three men suspected of involvement in the crime.

"It would be pure speculation. We see many random acts of violence now. We just don't know," he said.

Investigators are also

Morgan said eight of the children, ages 8 to 14, were in the home when the couple was killed Thursday evening. A woman who lives in an outlying building and helps care for the children called emergency dispatchers from the home.

Deputies had to wake some of the children after they arrived, authorities said. Investigators interviewed the children, who are now staying with other family members, Morgan said.

The Billings had 16 children, 12 of them adopted. They married 18 years ago and each had two children from previous marriages. The couple then began adopting children with developmental disabilities and other problems.

The couple owned several businesses, including a finance company and a used car dealership.

In a 2005 story in the Pensacola News Journal, the couple said they wanted to share their wealth with children in need, but didn't imagine their family would grow so large. "It just happened," Melanie Byrd told the newspaper. "I just wanted to give them a better life."



HAPPY TIMES: Byrd and Melanie Billings, in 2005 in their home with their children, 10 adopted and two biological, were shot Thursday night.

Discount Patio Furniture Sale and Service
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 954-921-0590

YOU'RE INVITED TO A HISTORIC GROUNDBREAKING!

SATURDAY, JULY 18
 10 AM TO 12 PM
 AT THE FUTURE HOME OF THE NEW MARLINS BALLPARK
 (FORMERLY BOWL SIX)

A FREE PUBLIC CELEBRATION!

FIRST 1,000 FANS GET A MARLINS COMMEMORATIVE PIN & A COMPLIMENTARY BALLPARK STYLE LUNCH!

INFORMATION ABOUT THE NEW STADIUM... (text partially obscured)

Logos for **BADIA**, **BAUER**, **SIENA**, and other sponsors.

CALL 1-877-MARLINS OR GO TO MARLINS.COM

CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT
OF AN ORDINANCE BY THE
CITY OF NORTH MIAMI BEACH, FLORIDA

NOTICE IS HEREBY GIVEN THAT ON THURSDAY, JULY 23, 2009, AT 7:30 PM, THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 1501 N.E. 19 AVENUE, 2ND FLOOR, COUNCIL CHAMBERS, NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCES:

ORDINANCE NO. 2009-12
 AN ORDINANCE AMENDING CHAPTER II, STRUCTURE OF CITY GOVERNMENT, ARTICLE VII, BOARDS, COMMISSIONS AND COMMISSIONS, SECTION 2.09, ECONOMIC DEVELOPMENT COMMISSION OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING AND REPEALING THE ORDERS AND RESPONSIBILITIES OF THE COMMISSION, PROVIDING FOR NEW FACILITY PROVISIONS FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, PROVIDING FOR THE CREATION OF THIS ORDINANCE, PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2009-13
 AN ORDINANCE AMENDING SECTION 2.14, PUBLIC PLACES, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, ELIMINATING PAPER SIGNS, TIMING TIME SIGNS MAY BE DISPLAYED IN ANY PUBLIC PLACE, REPEALING ALL SIGNS REGULATING PLACEMENT OF SIGNS, AMENDING THE CODE ENFORCEMENT BOARD RESPONSIBILITY 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 CREATION OF THIS ORDINANCE, PROVIDING FOR AN EFFECTIVE DATE.

SAYED AND PASSED: MAY BE ENFORCED BY THE PUBLIC AT THE CITY OFFICE, 1501 N.E. 19 AVENUE, 2ND FLOOR, DURING THE HOUR OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MAY APPLY AT THE OFFICE OF THE CLERK OF THE CITY OF NORTH MIAMI BEACH, 1501 N.E. 19 AVENUE, 2ND FLOOR, DURING THE HOUR OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

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CITY OF NORTH MIAMI BEACH
NOTICE OF PROPOSED ENACTMENT
OF AN ORDINANCE BY THE
CITY OF NORTH MIAMI BEACH, FLORIDA

NOTICE IS HEREBY GIVEN THAT ON TUESDAY, JULY 21st 2009 AT 7:30 PM, THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, 17011 N.E. 19 AVENUE, 2nd FLOOR, COUNCIL CHAMBERS, NORTH MIAMI BEACH, FLORIDA, WILL CONSIDER THE FOLLOWING ORDINANCE(S) ON SECOND AND FINAL READING AND PROPOSED PASSAGE THEREOF:

ORDINANCE NO. 2009-13

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.

ORDINANCE NO. 2009-15

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.

SAID PROPOSED ORDINANCE(S) MAY BE INSPECTED BY THE PUBLIC AT THE CITY CLERK'S OFFICE, 17011 N.E. 19 AVENUE, DURING THE HOURS OF 8:00 AM AND 5:00 PM, MONDAY THROUGH FRIDAY.

ALL INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE(S).

SUSAN A. OWENS, CMC, CITY CLERK • DARCEE S. SIEGEL, CITY ATTORNEY

SHOULD ANY PERSON DESIRE TO APPEAL ANY DECISION OF THE CITY COUNCIL WITH RESPECT TO ANY MATTER TO BE CONSIDERED AT THIS MEETING, THAT PERSON SHALL INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING ALL TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED (F.S. 216.0103)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 944-4901 FOR ASSISTANCE, IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 944-2909 FOR ASSISTANCE.

Legal Advertising Cost Comparisons

<u>Average Yearly Costs for Required Advertisements</u>	\$25,104.00-\$27,648.00
<u>Average Yearly Costs for All Unrequired Advertisements</u>	\$40,749.00

<u>Ad Type</u>	<u>Location</u>	<u>Approx. Size</u>	<u>Times</u>	<u>Single Ad \$</u>	<u>Monthly Ad \$</u>	<u>Req'd</u>	<u>Comments</u>
<i>Not Legally Required</i>							
Notice of Council Meeting Agenda	Herald	2 columns	2	\$627.00	\$1,254.00	NO	
Notice of Ordinances (1st Readings)	Herald	varies	1	\$384.00 increase	\$786.00 increase	NO (on some)	These are estimates only. These ads would increase the size, and therefore costs, of any ads already being published.
Total Cost of Proposed Additional Advertising: \$2,040.00/month or \$24,480.00/year							

Note: All estimates based upon a 2 Council meeting per month schedule with no recess. These figures do not reflect periodically required special advertisements such as Notices of Election, TRIM (Budget Ad), and certain land development notifications. These additional amounts are estimated yearly and included in the legal advertising budget along with the above referenced advertisements.

Municipal Advertising Comparisons

Municipality	What is published?	Newspaper	Additional Comments
Aventura	Minimum Required by Law - Ordinances on 2nd reading Planning & Zoning matters of interest to residents only; Meeting Notices and Agenda posted on town website and bulletin board outside building	Daily Business Review	
Curtler Bay	One big notice once a month advertising all meetings in the Miami Herald's Neighbors. Otherwise, minimum required by law - Ordinances on 2nd reading, P&Z Matters, etc.	P&Z Matters in Miami Herald & Daily Business Review Miami Herald's Neighbors for meeting notices & 2nd Reading Ordinances. Daily Business Review for P & Z Land Use and other matters of interest	
Doral	Minimum Required by Law - 2nd Reading Ordinances. Anything else is posted on city website.	Miami Herald's Neighbors on Sunday	
Hallandale Beach	Minimum Required by Law - 2nd Reading Ordinances. Anything else is posted on city website.	Miami Herald's Neighbors on Sunday. Meetings on Tuesday, submitted Wednesday for Sunday's publication.	
Hiialeah Gardens	Minimum Required by Law - 2nd Reading Ordinances. Anything else is posted on city website.	Daily Business Review	
Homestead	Notices of Meetings are published in local paper, The Miami Laker. Minimum Required by Law - 2nd Reading Ordinances.	Daily Business Review for 2nd Reading Ordinances. They only advertise P&Z Land Development matters in the Herald	
Miami Lakes	Notices of Meetings are posted on City Website. Agenda and Backup material on website as well. Notice of Special Meeting or Workshops posted in local paper, Rivers City Gazette. They try not to use the Miami Herald due to cost.	Daily Business Review for 2nd Reading Ordinances. All other notices are published in local paper, Rivers City Gazette.	
Miami Springs	Minimum Required by Law - 2nd Reading Ordinances. Notice of meetings are posted in glass case outside of City Hall and on City website.	Sun Sentinel	
North Lauderdale	Publish notice of meetings, full agenda, 1st reading and 2nd reading of ordinances	Miami Herald's Neighbors	The City Clerk's Office has been asked to reduce costs by 10%
North Miami	Notice of Meetings and 2nd Reading Ordinances	Daily Business Review	Stopped advertising in Herald due to cost. Only post in Herald on as needed basis.
Palmetto Bay	Minimum Required by Law - 2nd Reading Ordinances, Special Commission meetings, Commission Workshops, and Planning & Zoning hearings of interest to residents only; The agenda is published in a local newspaper, Sunny Isles Beach Sun. Calendar of meeting and events is posted on bulletin board and on city website.	Miami Herald's Neighbors section	
Sunny Isles			