



City of North Miami Beach, Florida

MAYOR AND COUNCIL

COUNCIL CONFERENCE

Tuesday, November 3, 2009

6:00 pm

Fourth Floor, Conference Room 400

AGENDA

6:00 P.M.

- 1. Redevelopment Advisory Board Ordinance - Mayor and Council**
(Approximately 30 minutes)
- 2. Lobbyist Ordinance - City Clerk**
(Approximately 10 minutes)
- 3. Paperless Meetings - Councilman Julien**
(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.**

ORDINANCE NO. 2009-Redevelopment Advisory Board

AN ORDINANCE AMENDING CHAPTER II STRUCTURE OF CITY GOVERNMENT, ARTICLE VII BOARDS, COMMITTEES AND COMMISSIONS, SECTION 2-56 TITLED REDEVELOPMENT ADVISORY BOARD, OF THE CODE OF ORDINANCES OF NORTH MIAMI BEACH, FLORIDA; MEMBERSHIP, TERMS; ELIGIBILITY; MEETINGS AND QUORUM; ADDING SELECTION OF OFFICERS AND HANDLING OF VACANCIES ON THE BOARD; 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.

WHEREAS, the Mayor and City Council, pursuant to City of North Miami Beach Resolution No. R2004-86, have created a Community Redevelopment Agency (CRA) by declaring that the Mayor and City Council shall be the Board of the Community Redevelopment Agency; and

WHEREAS, the Mayor and City Council, pursuant to City of North Miami Beach Resolution No. R2005-5, approved the Community Redevelopment Plan for the CRA; and

WHEREAS, the Community Redevelopment Plan specifically empowers the Mayor and City Council to establish an Advisory Board to assist them on economic and redevelopment issues; and

WHEREAS, the Mayor and City Council desire to seek advice concerning redevelopment activities from a regularly convened board composed of residents, property owners and businesspersons in the City of North Miami Beach.

NOW, THEREFORE,

BE IT ORDAINED by the City Council of the City of North Miami Beach, Florida.

Section 1. The foregoing recitals are true and correct.

Section 2. Section 2-56 Redevelopment Advisory Board of the Code of Ordinances of the City of North Miami Beach, Florida, is hereby amended as follows:

CHAPTER II STRUCTURE OF CITY GOVERNMENT
ARTICLE VII BOARDS, COMMITTEES AND COMMISSIONS

2-56 REDEVELOPMENT ADVISORY BOARD.

2-56 Created; Membership; Term.

The Redevelopment Advisory Board of the City of North Miami Beach is hereby created and established and shall consist of seven (7) members and two (2) alternates. appointed by the Mayor and City Council for terms of one (1) year. Members may be reappointed at the expiration of their terms. Each member of the City Council shall appoint one member. While members of the board shall possess sufficient knowledge, experience and judgment or background necessary to competently serve on the board, the Council shall consider appointing members who are experienced in the areas of finance, real estate, retail business or urban design. Each alternate shall be appointed upon nomination and a majority vote of the Mayor and City Council. The term of office for members of the Redevelopment Advisory Board and for alternates is two years. In order to have staggered terms, the odd numbered seats will be appointed for an initial two-year period and even numbered seats will be appointed for an initial one-year period. Members and alternates may be reappointed at the expiration of their terms. Beginning on the effective date of this Ordinance, the seats for members of the Redevelopment Advisory Board will be numbered 1-7. The terms of odd-numbered seats will expire at the end of odd-numbered years, and the terms of even-numbered seats will expire at the end of even-numbered years. Seats for alternates shall be numbered 8 and 9. The term of seat number 8 shall expire at the end of even numbered years, and the term of seat number 9 will expire at the end of odd-numbered years. Alternates shall attend all meetings and observe as observers and serve if not all seven members are present.(Ord. No. 2005-10 §2(a), 7-5-2005)

2-56.2 Eligibility.

Notwithstanding the provisions of subsection 2-32.1, members of this Board need not be residents or maintain residency in the City of North Miami Beach, so long as they own real estate in the City or represent a business that has and maintains a business tax receipt entitling them to conduct business in the City. If any member of their board presently owns or acquires control of any interest,

direct or indirect, in any property in which he or she knows is included or planned to be included in a community redevelopment area, he or she shall immediately disclose this fact in the manner provided in part III of Chapter 112, Florida Statutes. (Ord. No. 2005-10 §2(b), 7-5-2005)

2.56.3 Meetings; Quorum, Officers.

a. The Redevelopment Advisory Board shall meet from time to time but not less than quarterly within a given year.

b. Four (4) members shall constitute a quorum necessary to hold a meeting and take action.
(Ord. No. 2005-10 §2c, d, 7-5-2005)

c. The Committee members shall select, on an annual basis, its own Chair and Vice-Chair by a majority vote of the board.

2.56.4 Vacancies.

When a vacancy is caused by the resignation or removal of a member of the Redevelopment Advisory Board prior to the expiration of his or her term, a member shall be appointed to complete the unexpired term only.

2.56.5 Liaisons.

The Mayor shall appoint one City Council liaison to the Redevelopment Advisory Board. The liaison is not a member of the Board and shall have no vote on any issue or matter before the Board.

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. If any section, subsection, clause or provision of this ordinance is held invalid the remainder shall not be affected by such invalidity.

Section 5. It is the intention of the City Council of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish this intention and the word "Ordinance" may be changed to "Section", "Article" or other appropriate word as the codified may deem fit.

APPROVED BY TITLE ONLY on first reading this ____ day of _____, 2009.

APPROVED AND ADOPTED on second reading this ____ day of _____, 2009.

ATTEST:

SUSAN A. OWENS
CITY CLERK
(CITY SEAL)

MYRON ROSNER
MAYOR

APPROVED AS TO FORM:

DARCEE S. SIEGEL
CITY ATTORNEY

Sponsored by: Mayor and Council

DRAFT

To: Mayor and Council
 From: Darcee S. Siegel, City Attorney

City	CRA	Director	Phone	Advisory Board
Adventura	No			
Bal Harbour	No			
Bay Harbor Island	No			
Biscayne Park	No			
Boca Raton	Yes	Councilwoman Constance Scott	561-393-7782	No
Coral Gables	No		305-460-5311	
Coral Springs	Yes	John Ruffin Jr.	954-344-1004	Yes
Crystal River	Yes	Michelle Evans	352-794-0072	No
Cutler Bay	No		305-234-4262	
Delray	Yes	Dianne Colonna	561-276-8640	Yes
Doral	No			
El Portal	No			
Fort Myers	Yes	Don Paight	239-321-7100	Yes
Florida City	Yes	Rick Stauts	305-247-8221	No
Golden Beach	No			
Hialeah	Yes	NOT ACTIVE	305-883-8040	No
Hialeah Gardens	No			
Hollywood	Yes	Gilbert Martinez	954-924-2980	No
Homestead	Yes	NOT ACTIVE		No
Indian Creek	No			
Key Biscayne	No			
Margate	Yes	Frank Porcella	954-935-5324	No
Medley	No			
Miami	Yes	Commissioner Michele Spence-Jones	305-679-6800	Yes
Miami Beach	No			
Miami Gardens	No			

City	CRA	Director	Phone	Advisory Board
Miami Lakes	No			
Miami Shores	No			
Miami Springs	No			
North Bay Village	No			
North Miami	Yes	Tony Crapp, Sr.	305-899-0272	Yes
South Miami	Yes	Stephen A. David	305-668-7238	Yes
Surfside	No			
Sunny Isles Beach	No			
Sweetwater	No			
Opa Locka	No			
Pinecrest	No			
Palmetto Bay	No			
West Palm Beach	Yes	Kim Briesemeister	561-822-1550	Yes

ORDINANCE NO. 2008-18

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CHAPTER 2, ENTITLED "STRUCTURE OF CITY GOVERNMENT", BY ADDING A SECTION PROVIDING FOR LOBBYIST REGISTRATION; PROVIDING FOR EXEMPTIONS TO LOBBYIST REGISTRATION; PROVIDING FOR LOBBYIST REPORTING REQUIREMENTS; PROVIDING FOR LATE REGISTRATION AND PENALTIES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of North Miami Beach finds that the requirement of registering lobbyists is in the best interest of the citizens of the City; and

WHEREAS, the Mayor and City Council of the City of North Miami Beach finds that to preserve and maintain the integrity of the governmental decision-making process, complete public disclosure of the identity and activities of certain persons who engage in support of or against an item before the City Council or city boards, be publicly and regularly disclosed.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA:

Section 1. That the Code of the City of North Miami Beach, Florida, is hereby amended by adding Section 2-80 to Chapter 2, "Structure of City Government" to read as follows:

§2-80 Lobbying.

1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Expenditure: A payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal paid or provided directly or indirectly to or for the benefit of any elected official or employee of the City for the purpose of lobbying.

Lobbyist: An individual, corporation, partnership, or other legal entity employed or retained, whether paid or not, by a principal who seeks to encourage the approval, disapproval, adoption, repeal, passage, defeat, or modifications of (a) any ordinance, resolution, action or decision of any elected official or City Council; (b) any action, decision, recommendation, any city board or committee, including but not limited to Quasi-Judicial, Advisory Board, Trust, Authority, or Council.

Person: Any individual, corporation, partnership or other legal entity or an agent or employee thereof.

Principal: The person that has employed or retained the services of a lobbyist.

2. Registration and Reporting Requirements.

All lobbyists shall, before engaging in lobbying activities, register with the City Clerk. Every person required to so register shall:

(a) Register on a form prepared by the City Clerk;

(b) State under oath the name and business address of the registrant; the name and business address of each principal which has employed or retained the registrant to lobby; the specific issue for which he/she has been employed or retained to lobby and the existence of any direct or indirect business association, partnership, or financial relationship with any employee of the City of North Miami Beach;

Any change to any information originally filed shall require that he/she file an amendment to the registration forms. He/she has a continuing duty to supply information and amend the forms filed throughout the period for which the lobbying occurs. For each separate principal/event/occurrence or representation, an additional disclosure form shall be filed.

3. Exceptions to Registration.

The following shall not be required to register under this section:

(a) Any public official or city staff discussing matters relevant to their official duties;

(b) Any person (citizen/resident) who only appears in his individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct or indirect, to express support of or opposition to any item, including but not limited to those who are members of homeowner or neighborhood associations;

(c) Any person who must appear or is requested to appear before the city council, city board, committee, or any member thereof, or the city manager or city staff in a quasi-judicial proceeding or any agent, attorney, officer or employee of such person;

(d) Any person under contract with the City who communicates with any public official or city staff regarding issues related only to the performance of their services under contract;

(e) Any person who has been designated and is so recognized by the City as a representative of a collective bargaining unit composed of City employees; foreign dignitary appearing in his/her official capacity; a person who owns, publishes or is employed by a newspaper, periodical, radio station, or other bonafide news media; a person who merely appears before, the Mayor, City Council, city board or committee, the city manager or city staff in an individual capacity for the purpose of self-representation;

(f) Any non-profit community based organization seeking grant services and/or grant funding from the City;

(g) Non-bid vendors making initial "sales" presentations to City administration.

4. Expenditures prohibited. Except as expressly allowed by state law, all non-nominal expenditures, as defined herein, are prohibited.

5. Reporting Requirements.

The City Clerk shall keep a current list and a file of registered lobbyists and registration forms required under this section, which shall be open to the public for inspection. These forms and filings shall be available through the City's website.

6. Notification of Failure to Register.

Once the Office of the City Clerk has been notified of a failure to comply with registration requirements, he may administratively collect a \$100.00 late registration fee and register the lobbyist. If any further action is deemed necessary, as determined by the Mayor and Council, they may set additional fines, reprimand, suspend or prohibit the lobbyist from

lobbying before the City Council, a city board, a city committee, or members thereof, for a period not to exceed two (2) years.

7. This ordinance and the rules and procedures established herein shall be reviewed by the City Council after being in effect for one year.

Section 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

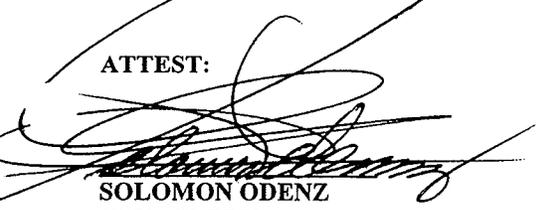
Section 3. If any section, subsection, clause or provision of this ordinance is held invalid the remainder shall not be affected by such invalidity.

Section 4. It is the intention of the City Council of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The Sections of this Ordinance may be renumbered or relettered to accomplish this intention and the word "Ordinance" may be changed to "Section", "Article" or other appropriate word as the codifier may deem fit.

APPROVED BY TITLE ONLY on first reading this 21st day of October, 2008.

APPROVED AND ADOPTED on second reading this 4th day of November, 2008.

ATTEST:



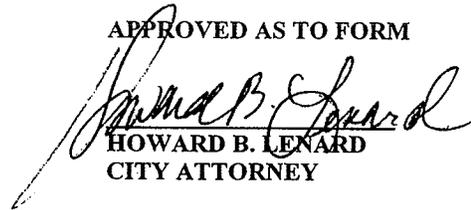
SOLOMON ODENZ
CITY CLERK

(CITY SEAL)



RAYMOND F. MARIN
MAYOR

APPROVED AS TO FORM



HOWARD B. LENARD
CITY ATTORNEY

Sponsored by: Councilman John Patrick Julien
Mayor & Council

REGISTERED LOBBYISTS

ANNUAL REGISTRATION					
LOBBYIST	'09	'10	'11	'12	PRINCIPAL
Norman C. Powell Law Offices of Norman C. Powell 17100 N.E. 19 Avenue North Miami Beach, FL 33162	X				Ebony & Ivory entertainment LLC d/b/a Diamond's Cabaret
Mitch Edelstein Strategic Campaign Consultants, Inc. 7524 Adventure Avenue North Bay Village, FL 33141	X				Norman C. Powell Law Offices of Norman C. Powell
Allen T. Shulman Shulman & Associates 100 N.E. 38 Street #2 Miami, FL 33137	X				Columbus Networks USA, Inc. Paul Scott
Michael Madden Shulman & Associates 100 N.E. 38 Street #2 Miami, FL 33137	X				Columbus Networks USA, Inc. Paul Scott
Alan S. Krischer Holand & Knight LLP 701 Brickell Avenue, Suite 3000 Miami, FL 33131	X				IStar Financial Inc. Anthony Burns
Mitch Edelstein Strategic Campaign Consultants, Inc. 7524 Adventure Avenue North Bay Village, FL 33141	X				Woolbright Development Jorge Morrell, Vice President
Michael Snyder, Esq. Michael J. Snyder & Associates, PA 4000 Hollywood Boulevard, Suite 455-S Hollywood, FL 33021	X				The Coral Springs Schools, Inc. d/b/a Beauty Schools of America John Rebstock
Michael Snyder, Esq. Michael J. Snyder & associates, PA 4000 Hollywood Boulevard, Suite 455-S Hollywood, FL 33021	X				The Pep boys #173 – Manny, Joe & Jack C/O Michael J. Snyder
Frank Woland 12865 West Dixie Highway North Miami, FL 33061	X				Joseph Paglino
Jeffrey Bercow Bercow Radell & Fernandez, PA 200 South Biscayne Boulevard, Suite 850 Miami, FL 33131	X				Woolbright Development 3200 North Military Trail Boca Raton, FL 33343 Jorge Morrell, Vice President

Matthew Amster Bercow Radell & Fernandez, PA 200 South Biscayne Boulevard, Suite 850 Miami, FL 33131	X				Woobright Development 3200 North Military Trail Boca raton, FL 33343 Jorge Morrell, Vice President
Alexandra L. Deas Bilzin Sumberg Raena Price & Axelrod 200 So. Biscayne Boulevard, Suite 2500 Miami, FL 33131	X				Eric Harari 1329 Alton Road Miami Beach, FL 33139
Norman C. Powell Law Offices of Norman C. Powell 17100 N.E. 19 Avenue North Miami Beach, FL 33162	X				SMG Entertainment d/b/a Sweet Dreams 17450 Biscayne Boulevard North Miami Beach, FL 33162
Alan S. Rosenthal Rosenthal Rosenthal Rasco Kaplan LLC 20900 N.E. 30 Avenue, Suite 600 Aventura, Florida 33180	X				Platinum South, Inc. d/b/a Dean Gold 2355 N.E. 163 Street North Miami Beach, FL 33160