

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, JANUARY 8, 2013
7:00 P.M.

- 1. CALL TO ORDER / ROLL CALL OF MEMBERS**
- 2. PLEDGE OF ALLEGIANCE / INVOCATION**
- 3. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)
- 4. SPECIAL PRESENTATION(s)**
 - ◆ 2012 Winternational Parade Awards
- 5. CITY EVENTS – ANNOUNCEMENT**
- 6. CITY PROJECTS UPDATE**
- 7. CONSENT AGENDA**

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH E CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH E BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – December 11, 2012
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

AUTHORIZATION FOR EXPENDITURES FROM FEDERAL EQUITABLE SHARING FUNDS FOR THE PURCHASE OF MISCELLANEOUS INFORMATION TECHNOLOGY HARDWARE, SOFTWARE, EQUIPMENT AND PROFESSIONAL SERVICES
Sponsored by: City Administration
Responsible Staff Person: Marc Elias, Chief of Police

[TAB C]

PROPOSED RESOLUTION RATIFYING AN AMENDMENT TO FISCAL YEAR 2011-2012 REVENUE AND EXPENSE BUDGET FOR THE RECEIPT OF REVENUE IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000.00) FROM OLETA STATE PARTNERS FOR THE REIMBURSEMENT OF PROFESSIONAL FEES AND PROPERTY MAINTENANCE COSTS INCURRED BY THE CITY OF NORTH MIAMI
Sponsored by: City Administration
Responsible Staff Person: Arthur H. Sorey III, Budget Manager

[TAB D]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A GRANT OF EASEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A FREESTANDING DOUBLE FACED LED ILLUMINATED IDENTIFICATION SIGN ON CITY OWNED PROPERTY, FOR THE USE OF THE ALONZO & TRACY MOURNING SENIOR HIGH SCHOOL BISCAYNE BAY CAMPUS

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROGRAM GRANT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, TO FUND AND IMPLEMENT THE ADULT EDUCATION TUITION PROGRAM FOR ECONOMICALLY CHALLENGED CITY RESIDENTS ATTENDING NORTH MIAMI ADULT EDUCATION CENTER AT THE NORTH MIAMI SENIOR HIGH SCHOOL DURING THE 2012-2013 SCHOOL YEAR, AT A COST NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

Sponsored by: City Administration

Responsible Staff Person: Dr. Lumane Pluviose-Claude, Deputy City Manager

8. PUBLIC HEARINGS – ORDINANCES, RESOLUTIONS, ZONING, LAND USE ITEMS, ETC.

8.A. QUASI-JUDICIAL ITEM(S)

NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.

QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE FOLLOWING ITEMS ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSONS TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.

SWEARING IN: ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME COUNCIL MEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

8.B. LEGISLATIVE MATTERS

8.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING – [NONE]

8.B.2. ORDINANCES – FIRST READING

[TAB F]

PROPOSED ORDINANCE (*FIRST READING*) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 4, DIVISION 4, ENTITLED “SPECIAL PURPOSE AND OVERLAY DISTRICTS”, AT SECTION 4-402, ENTITLED “PLANNED DEVELOPMENT DISTRICT”, SPECIFICALLY AT SUBSECTION B, ENTITLED “DEVELOPMENT STANDARDS”, TO INCLUDE ‘VEHICLE SALES/DISPLAYS’ TO THE LIST OF PERMITTED USES

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

8.B.3. RESOLUTIONS

[TAB G]

PROPOSED RESOLUTION DESIGNATING A FORMER GAS STATION SITE LOCATED AT 1600 NE 123 STREET, IN THE CITY OF NORTH MIAMI, AS A “BROWNFIELD AREA” PURSUANT TO SECTION 376.80(2)(B), FLORIDA STATUTES, FOR THE REHABILITATION AND ECONOMIC DEVELOPMENT OF THE SITE, IN ACCORDANCE WITH THE FLORIDA BROWNFIELDS REDEVELOPMENT ACT, AND CONSISTENT WITH THE INTENT OF THE CITY’S COMPREHENSIVE PLAN; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO EFFECTUATE THE BROWNFIELD AREA DESIGNATION

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

9. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB H]

DISCUSSION ON WATER RATES FOR RESIDENTS WITH SECOND METERS

Sponsored by: Councilman Scott Galvin

10. CITIZENS’ FORUM

11. COUNCIL REPORTS

Mayor Andre D. Pierre, Esq.
Vice-Mayor Marie Erlande Steril
Councilman Michael R. Blynn, Esq.
Councilman Scott Galvin
Councilman Jean R. Marcellus

12. CITY CLERK’S REPORT

13. CITY ATTORNEY’S REPORT

14. CITY MANAGER’S REPORT

15. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142, NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

1-COP	Beer only, Consumption on Premises
2-COP	Beer and Wine, Consumption on Premises
4-COP	Beer, Wine and Alcohol, Consumption on Premises
1-APS	Beer, Package Sales Only
2-APS	Beer and Wine, Package Sales Only
3-APS	Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

R-1	Residential Estate District
R-2	Single-Family District
R-4	Multi-Family District
R-5	Multi-Family District
R-6	Multi-Family District
RO	Residential Office District

ZONING SYMBOLS (continue)

C-1	Commercial District
C-3	Commercial District
C-2BE	Commercial District
C-2BW	Commercial District
M-1	Industrial District
PU	Public Use District
PD	Planned Development District
AOD	Arts, Culture and Design Overlay District
NRO	Neighborhood Redevelopment District