



REGULAR COUNCIL MEETING AGENDA

Tuesday, January 12, 2016

7:00 PM

City Hall | 2nd Floor | Council Chambers

776 NE 125TH Street

North Miami, FL 33161

1. CALL TO ORDER / ROLL CALL

2. PLEDGE OF ALLEGIANCE

(Officer Robert Korland, North Miami Police Department)

3. INVOCATION

(Pastor Enoch Milien, Philadelphia Baptist Church)

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(S)

- ◆ Certificate of Recognition presented to the Employee of the Quarter - Fall 2015, *Nakia Johnson Preston, Administrative Assistant, Public Works*
- ◆ Certificate of Recognition to *Cheryl L. Holder, MD* in honor of *National Mentoring Month*
- ◆ Presentation by the *Executive Team of TD Bank Charitable Foundation* presenting the *Housing for Everyone Grant Award*
- ◆ Presentation by *William L. Cross, P.E.* of *South Florida Regional Transit Authority (SFRTA)* on *Tri-Rail Coastal Link*
- ◆ Presentation on the Benefits of *Brownfield Designation* by *Michael Goldstein, Esq.*

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS UPDATE – [NONE]

8. 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 – Special Council Meeting – December 16, 2015

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR GRANT FUNDS FROM THE KEEP AMERICA BEAUTIFUL

AFFILIATES GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE INTERIM CITY MANAGER'S EXECUTION OF THE ATTACHED AGREEMENT, BETWEEN THE CITY OF NORTH MIAMI AND DAVID MANCINI & SONS, INC., TO PROVIDE THE EMERGENCY REPLACEMENT OF WATER MAINS AND FORCE MAIN SITUATED NEAR THE SEABOARD ACRES PUMP STATION, ALONG NORTHEAST 131ST STREET AND RUNNING UNDER THE C-8 CANAL, PURSUANT TO SECTION 7-144, CITY CODE OF ORDINANCES AND RESOLUTION NO. 2015-R-131; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Purchasing Director

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE INTERIM CITY MANAGER'S ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF ONE HUNDRED FIFTEEN THOUSAND ONE HUNDRED FORTY DOLLARS (\$115,140.00) PIGGYBACKING THE CITY OF PALM BAY, FLORIDA, PREFERRED RATE AGREEMENT WITH ENTERPRISE LEASING COMPANY OF ORLANDO, LLC, IN ACCORDANCE WITH REQUEST FOR PROPOSAL # 53-0-2014SB RENTAL OR LEASE OF VEHICLES FOR POLICE DEPARTMENT, TO PROVIDE THE NORTH MIAMI POLICE DEPARTMENT WITH THE EMERGENCY PROCUREMENT OF SERVICES RELATED TO THE RENTAL OR LEASE OF VEHICLES FOR ADMINISTRATIVE AND LAW ENFORCEMENT USE, FOR A TERM OF ONE (1) YEAR WITH TWO (2) ONE-YEAR OPTIONS TO RENEW, PURSUANT TO SECTION 7-144 OF THE CITY CODE OF ORDINANCES AND RESOLUTION NO. 2015-R-131; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Purchasing Director

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE INTERIM CITY MANAGER'S ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND DOLLARS (\$112,000.00) PIGGYBACKING THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES CONTRACT #DMS – 10/11-008C AND THE FEDERAL GOVERNMENT GENERAL SERVICES ADMINISTRATION CONTRACT NO. GS-35F-0119P WITH VERIZON WIRELESS PERSONAL COMMUNICATIONS LP, TO PROVIDE THE NORTH MIAMI POLICE DEPARTMENT WITH THE EMERGENCY PROCUREMENT OF WIRELESS VOICE AND DATA COMMUNICATION SERVICES FOR A TERM OF ONE (1) YEAR WITH TWO (2) ONE-YEAR OPTIONS TO RENEW, PURSUANT TO SECTION 7-144 OF THE CITY CODE OF ORDINANCES AND RESOLUTION NO. 2015-R-131; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Alberto Destrade, Purchasing Director

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

9. A. RESOLUTIONS

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AWARD OF FISCAL YEAR 2015-2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOS); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D Director

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM 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 SENIOR HIGH SCHOOL DURING THE 2015-2016 SCHOOL YEAR, AT A COST NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Mayor Smith Joseph, D.O., Pharm.D.

9. B. LEGISLATIVE MATTERS

9. B. i. ORDINANCES – SECOND READING AND PUBLIC HEARING – [NONE]

9. B. ii. ORDINANCES – FIRST READING

[TAB H]

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “FINANCE”, SPECIFICALLY AT ARTICLE III ENTITLED “PROCUREMENT CODE” BY CREATING DIVISION 10, ENTITLED “PROHIBITION ON USE OF EXPANDED POLYSTYRENE” TO PROHIBIT THE USE OF EXPANDED POLYSTYRENE PRODUCTS BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES IN CITY FACILITIES AND ON CITY PROPERTIES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: Councilman Philippe Bien-Aime

9. C. QUASI-JUDICIAL ITEM(S)

[TAB I]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING FIVE (5) FLOATING RESIDENTIAL UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT'S SECONDARY RESIDENTIAL POOL OF NINE HUNDRED EIGHTY-NINE (989) FLOATING RESIDENTIAL UNITS TO A PROPOSED 20-UNIT

TOWNHOUSE RESIDENTIAL DEVELOPMENT TO BE NAMED “EAST OF 5TH TOWNHOMES”, ON THE TWO (2) PARCELS LOCATED OUTSIDE THE NRO AT 12121 NE 5TH AVENUE AND 509 NE 121ST STREET, WITH THE FOLLOWING FOLIO NUMBERS: 06-2230-031-0150 AND 06-2230-031-0160, IN ACCORDANCE WITH ARTICLE 4, DIVISION 2, SECTION 4-204 AND ARTICLE 4, DIVISION 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D Director

10. REQUESTS-PETITIONS-COMMUNICATIONS

[TAB J]

DISCUSSION ON PROVIDING ANY AND ALL OPTIONS TO FILL THE POSITION OF THE CITY ATTORNEY; AUTHORIZING THE INTERIM CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DECISION OF THE MAYOR AND CITY COUNCIL IN FILING THE POSITION.

Sponsored by: City Administration

Responsible Staff Person: Arthur H. Sorey, Interim City Manager

[TAB K]

DISCUSSION ON PROVIDING ANY AND ALL OPTIONS TO FILL THE POSITION OF THE CITY MANAGER; AUTHORIZING THE INTERIM CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DECISION OF THE MAYOR AND CITY COUNCIL IN FILING THE POSITION.

Sponsored by: Councilman Scott Galvin

[TAB L]

DISCUSSION REGARDING THE ANNUAL ROTATION OF THE VICE MAYOR FROM AMONG THE COUNCILMEMBERS IN ACCORDANCE WITH SECTION 13 OF THE CITY OF NORTH MIAMI CHARTER; PROVIDING FOR ASSIGNMENT AND DESIGNATION OF VICE MAYOR IN THE FOLLOWING ORDER: DISTRICT 1, DISTRICT 2, DISTRICT 3, AND DISTRICT 4.

Sponsored by: City Administration

Responsible Staff Person: Arthur H. Sorey, Interim City Manager

11. CITIZENS' FORUM

12. COUNCIL REPORTS

Mayor Smith Joseph, D.O., Pharm.D.

Vice Mayor Carol Keys, Esq.

Councilman Philippe Bien-Aime

Councilman Alix Desulme

Councilman Scott Galvin

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. CITY MANAGER'S REPORT

16. ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH CODE SECTIONS 2-401, ALL LOBBYISTS SHALL REGISTER WITH THE OFFICE OF THE CITY CLERK WITHIN FIVE (5) BUSINESS DAYS OF BEING RETAINED AS A LOBBYIST OR BEFORE ENGAGING IN ANY LOBBYING ACTIVITIES, WHICHEVER SHALL COME FIRST.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE IN PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN 4 DAYS PRIOR TO THE PROCEEDING. TELEPHONE NUMBER (305) 893-6511, EXT. 12145, FOR ASSISTANCE; IF HEARING IMPAIRED TELEPHONE THE 711 OR MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF NORTH MIAMI 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, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, EXT. 12145. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT WWW.NORTHMIAMIFL.GOV.

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, 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 (con't)

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