



**City of North Miami
City Hall | 2nd Floor | Council Chambers
776 NE 125th Street
North Miami, FL 33161**

**Regular Council Meeting
Summary Minutes
January 12, 2016**

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, January 12, 2016, beginning at 7:25 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found on the website at:

http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx

ROLL CALL

- PRESENT: Mayor Joseph
Councilman Galvin
Vice Mayor Keys
Councilman Bien-Aime
Councilman Desulme

PLEDGE OF ALLEGIANCE

- Officer Robert Korland, North Miami Police Department

INVOCATION

- Pastor Enoch Milien, Philadelphia Baptist Church

ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals) - None

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.

CITY EVENTS – ANNOUNCEMENT

Kassandra Timothe, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: www.northmiamifl.gov/celebrate.

CITY PROJECTS UPDATE – None

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

RESOLUTIONS

TAB A – PASSED - APPROVAL OF MINUTES – Special Council Meeting – December 16, 2015.

TAB B – PASSED – Resolution No. 2016-R-1 - 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.

TAB C - PASSED – Resolution No. 2016-R-2 - 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.

TAB D - PASSED – Resolution No. 2016-R-3 - 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.

TAB E - PASSED - Resolution No. 2016-R-4 - 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.

Councilman Galvin motioned to approve the consent agenda, seconded by Mayor Joseph; **passed unanimously.**

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

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.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to table this item to the next meeting. Seconded by Councilman Desulme; **passed 4-0.** No vote from Vice Mayor Keys, she recused herself.

TAB G - Resolution No. 2016-R-5 - 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.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Mayor Joseph to approve the item pending the guidelines from staff. Seconded by Councilman Bien-Aime; **passed 4-1**. Councilman Galvin voted no.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING – None

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.

Michael Etienne, Esq., City Clerk, read the Ordinance title for the record. Motion made by Councilman Bien-Aime to approve the item and seconded by Mayor Joseph; **passed 5-0** by roll call vote.

QUASI-JUDICIAL ITEM(S)

TAB I - **Resolution No. 2016-R-6** - 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.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Six (6) individuals from the public were sworn in. Motion made by Councilman Galvin to approve the item and seconded by Councilman Bien-Aime; **passed 5-0** by roll call vote.

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 FILLING THE POSITION.

Michael Etienne, Esq., City Clerk, read the title for the record. Motion made by Mayor Joseph to reopen the position for both firms and individuals for a period of 30 days. Seconded by Councilman Bien-Aime; **passed 4-1**. Councilman Galvin voted no.

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 FILLING THE POSITION.

Michael Etienne, Esq., City Clerk, read the title for the record. Motion made by Councilman Desulme to submit a maximum of 4 (four) names to the Personnel Director by Tuesday, January 19, 2016. Names shall be from the list of applications that were submitted by December 31, 2015. Seconded by Vice Mayor Keys; **passed 4-1**. Councilman Galvin voted no.

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.

Michael Etienne, Esq., City Clerk, read the title for the record. Motion made by Councilman Galvin to appoint Councilman Desulme as Vice-Mayor. Seconded by Councilman Bien-Aime; **passed 5-0**.

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- REPORTED: Mayor Smith Joseph, D.O., Pharm.D.
Vice Mayor Carol Keys, Esq.
Councilman Philippe Bien-Aime
Councilman Alix Desulme
Councilman Scott Galvin

CITY CLERK'S REPORT

- No reports

CITY ATTORNEY'S REPORT

- Reported

CITY MANAGER'S REPORT

- Reported

ADJOURNMENT

- Meeting adjourned at 11:09 pm.