

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

REGULAR MEETING

TUESDAY, JANUARY 22, 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)**
 - ◆ Proclamation in honor of *National Personal Self Defense Awareness Month*
- 5. CITY EVENTS – ANNOUNCEMENT**
- 6. CONSENT AGENDA**

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH C 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 C BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – January 8, 2013
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

REQUEST FOR SPECIAL PERMIT, ST. JAMES CATHOLIC CHURCH, FOR THEIR ANNUAL CARNIVAL – FEBRUAR 14-17, 2013
Sponsored by: Michael A. Etienne, City Clerk

[TAB C]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER, BETWEEN THE CITY OF NORTH MIAMI AND ENTERPRISE LEASING COMPANY OF FLORIDA, LLC, IN ACCORDANCE WITH THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP - RFP NUMBER 07-C-169, TO PROVIDE THE CITY WITH POLICE UNDERCOVER VEHICLE LEASING SERVICES, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SIX THOUSAND NINE HUNDRED DOLLARS (\$126,900.00)
Sponsored by: City Administration
Responsible Staff Person: Ruby C. Johnson, Purchasing Director

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

7.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 COUNCILMEMBERS 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.

7.B. LEGISLATIVE MATTERS

7.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB D]

PROPOSED ORDINANCE (***SECOND 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

7.B.2. ORDINANCES – FIRST READING

[TAB E]

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT,” BY AMENDING ARTICLE IV, ENTITLED “NORTH MIAMI POLICE PENSION PLAN,” DIVISION 5, ENTITLED “BENEFITS” SPECIFICALLY AT SECTION 15-132, ENTITLED “DEATH BENEFITS”, TO PROVIDE BENEFICIARIES RECEIVING A SERVICE-CONNECTED DEATH BENEFIT WITH AN ANNUAL COLA

Sponsored by: Pension Board

Responsible Staff Person: Major Robert Bage

[TAB F]

PROPOSED ORDINANCE (*FIRST READING*) AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES, ENTITLED “ELECTIONS”, BY AMENDING ARTICLE IV, ENTITLED “ELECTION ADMINISTRATION” SPECIFICALLY AT SECTION 6-76, ENTITLED “DATES OF ELECTIONS” TO CHANGE THE DATES FOR RUNOFF ELECTIONS IN ACCORDANCE WITH THE CITY CHARTER AND STATE LAW

Sponsored by: Michael Etienne, City Clerk

7.B.3. RESOLUTIONS

[TAB G]

PROPOSED RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY, FLORIDA, IN SUBSTANTIALLY THE ATTACHED FORM, CONCERNING THE ANNEXATION OF A TRACT OF LAND BORDERED ON THE WEST SIDE BY THE BISCAYNE CANAL, ON THE EAST SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS “AREA 3”), DELINEATING MAINTENANCE, OPERATIONAL AND FINANCIAL RESPONSIBILITIES IN CONJUNCTION WITH THE ANNEXATION OF AREA 3 TO THE CITY OF NORTH MIAMI

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB H]

PROPOSED RESOLUTION PROVIDING FOR APPROVAL OF A MODIFICATION TO THE BIFURCATED GROUND LEASE BETWEEN THE CITY OF NORTH MIAMI, FLORIDA, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION, INC., AND ROYAL OAKS LANE (BISCAYNE LANDING) -NORTH MIAMI, LLC; AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION

Sponsored by: Stephen E. Johnson, City Manager

[TAB I]

PROPOSED RESOLUTION DIRECTING CITY ADMINISTRATION TO REFRAIN FROM UTILIZING RED LIGHT CAMERAS TO ENFORCE RIGHT TURNS ON RED LIGHT TRAFFIC INFRACTIONS

Sponsored by: Mayor Andre D. Pierre

8. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB J]

DISCUSSION REGARDING \$2.5 MILLION FROM BISCAYNE LANDING TO BE ALLOCATED FOR THE PURCHASE OF POLICE VEHICLES, AND REPAIRS AND IMPROVEMENTS IN CITY HALL AND THE CITY LIBRARY

(CONTINUED FROM THE DECEMBER 11, 2012 COUNCIL MEETING)

Sponsored by: Councilman Jean R. Marcellus

[TAB K]

DISCUSSION REGARDING CITY ATTORNEY’S POSITION

Sponsored by: Councilman Scott Galvin

9. CITIZENS’ FORUM

10. COUNCIL REPORTS

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

11. CITY CLERK'S REPORT

12. CITY ATTORNEY'S REPORT

13. CITY MANAGER'S REPORT

14. 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