



## REGULAR COUNCIL MEETING AGENDA

Tuesday, January 26, 2016

7:00 PM

City Hall | 2<sup>nd</sup> Floor | Council Chambers

776 NE 125<sup>TH</sup> Street

North Miami, FL 33161

### 1. CALL TO ORDER / ROLL CALL

### 2. PLEDGE OF ALLEGIANCE

*(Officer James L. Alexander, North Miami Police Department)*

### 3. INVOCATION

*(Rabbi Jory Lang, Beth Moshe Congregation)*

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

### 5. SPECIAL PRESENTATION(S)

◆ Quarterly Budget and Financial Presentation by *Terry Henley, Assistant Budget Director* and *Larry Spring, Jr., Finance Director*

◆ Presentation on Climate Change by *Pallab Mozumder, PhD.* of FIU's Pace program (Program for Adaptation to Climate change and Extreme events)

◆ American Cancer Society, North Miami's "Relay for Life" event April 9, 2016, presentation by *Damien Morgan, Community Manager*

### 6. CITY EVENTS – ANNOUNCEMENT

### 7. CITY PROJECT(S) 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 D 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 D BE ADOPTED..."*

#### [TAB A]

APPROVAL OF MINUTES – Special Council Meeting – January 12, 2016

*Sponsored by: Michael A. Etienne, City Clerk*

#### [TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AUTHORIZING A NEW NORTH MIAMI LIBRARY MEETING ROOM POLICY AND RENTAL FEE SCHEDULE, IN SUBSTANTIALLY THE ATTACHED FORM, GOVERNING THE USE OF DESIGNATED LIBRARY FACILITIES BY ORGANIZATIONS AND MEMBERS OF THE PUBLIC; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Lucia M. Gonzalez, Library Director*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE FISCAL YEAR 2015-2016 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RECEIPT AND RE-APPROPRIATION OF GRANTS AND PROGRAM FUNDS FROM THE SOURCES IDENTIFIED IN THE ATTACHED SCHEDULE OF BUDGET AMENDMENTS, TOTALING TWO MILLION NINE HUNDRED SIXTY-SEVEN THOUSAND ONE HUNDRED TEN DOLLARS (\$2,967,110.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Terry Henley, Assistant Budget Director*

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A SECOND OPTION TO RENEW CONTRACT NO. 000421 BETWEEN THE CITY OF NORTH MIAMI AND METRO EXPRESS, INC., FOR THE PROVISION AND PLACEMENT OF HOT-MIXED ASPHALT AS APPROVED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR RESURFACING STREETS, ALLEYWAYS AND OTHER PUBLIC RIGHTS-OF-WAY, IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 25-12-13 ASPHALT LAID IN PLACE, AT A COST NOT TO EXCEED TWO HUNDRED THIRTY-NINE THOUSAND ONE HUNDRED SEVENTY-SIX DOLLARS (\$239,176.00); FURTHER AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS FOR THE PROVISION OF THE STATED SERVICES ON AN AS NEEDED, WHEN NEEDED BASIS; 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 E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION’S COMPETITIVE SELECTION OF COUNTRY BILL’S LAWN MAINTENANCE, INC., AS THE LOWEST BIDDER TO FURNISH AND DELIVER MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE PROVISION AND INSTALLATION OF APPROXIMATELY ONE HUNDRED TWENTY (120) TREES AT LOCATIONS DESIGNATED BY THE INTERIM CITY MANAGER OR HIS DESIGNEE; AND FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE STATED SERVICES, IN THE AMOUNT NOT TO EXCEED THIRTY-SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$37,800.00) FOR A TERM OF THIRTY (30) DAYS FROM THE CITY’S ISSUANCE OF THE NOTICE TO PROCEED, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION TO QUOTE – FURNISH AND INSTALL TREES ITQ NO. 01-15-16, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Alberto Destrade, Purchasing Director*

**[TAB F]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND TYLER TECHNOLOGIES, INC., TO INCLUDE A DIGITAL PAYROLL AND BIOMETRIC TIME ATTENDANCE SYSTEM, AT A COST NOT TO EXCEED SIXTY-NINE THOUSAND DOLLARS (\$69,000.00) FOR THE CURRENT FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Terry Henley, Assistant Budget Director*

**[TAB G]**

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*

(ITEM CONTINUED FROM THE JANUARY 12, 2016 COUNCIL MEETING)

**9. B. LEGISLATIVE MATTERS**

**9. B. i. ORDINANCES – SECOND READING AND PUBLIC HEARING**

**[TAB H]**

PROPOSED ORDINANCE (**SECOND 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 and Vice Mayor Alix Desulme*

**9. B. ii. ORDINANCES – FIRST READING**

**[TAB I]**

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “PERSONNEL, PENSIONS AND RETIREMENT”, BY AMENDING ARTICLE IV, ENTITLED “CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM; ORD. NO. 691,” BY AMENDING SECTION 15-61 “DEFINITIONS,” BY CREATING A NEW SECTION 15-64 “PLAN CLOSED TO NEW MEMBERS; PARTICIPATION IN THE FLORIDA RETIREMENT SYSTEM,” BY AMENDING SECTION 15-80 “ELIGIBILITY GENERALLY,” SECTION 15-81 “MEMBER CONTRIBUTIONS,” SECTION 15-84 “REEMPLOYED PERSON; CHANGE IN EMPLOYER,”

SECTION 15-90 "RETIREMENT BENEFITS," AND SECTION 15-95.1 "COST-OF-LIVING ADJUSTMENT OF BENEFITS"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Joseph Roglieri Jr., Personnel Administration Director*

**9. C. QUASI-JUDICIAL ITEM(S) - NONE**

**10. REQUESTS-PETITIONS-COMMUNICATIONS**

**[TAB J]**

APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY.

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB K]**

DISCUSSION REGARDING SPONSORSHIP OPPORTUNITIES FOR THE MIAMI-DADE COUNTY LEAGUE OF CITIES' 62<sup>ND</sup> ANNUAL GALA ON SATURDAY, FEBRUARY 20, 2016.

*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 Alix Desulme

Councilman Philippe Bien-Aime

Councilman Scott Galvin

Councilwoman Carol Keys, Esq.

**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](http://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.

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**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