

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

REGULAR MEETING

TUESDAY, FEBRUARY 11, 2014
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(Peggy St. Louis, North Miami Police Explorer)

2. INVOCATION

(Reverend James Cuthbertson, New Birth Baptist Church & Cathedral)

3. CALL TO ORDER / ROLL CALL OF MEMBERS

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

5. SPECIAL PRESENTATION(s)

- ◆ Certificate of Recognition in honor of *Black History Month*
- ◆ Certificate of Recognition in honor of *American Heart Month*
- ◆ Certificate of Recognition to the *North Miami Historical Society* in honor of the *City of North Miami's 88th Birthday*
- ◆ Certificate of Recognition to the *North Miami Public Library* in honor of *Love Your Library Month*
- ◆ Certificate of Recognition to *Wendy's* for their donation to the City of North Miami in honor of *National Diabetes Awareness Month*
- ◆ Update regarding Cagni Park by *Janet Kelly, Miami-Dade County Schools*
- ◆ FIU Herbert Wertheim College of Medicine's Green Family Foundation NeighborhoodHELP Program presented by *Sophia Lacroix, Community Outreach Coordinator*

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS 2014 UPDATE

8. CITIZENS' FORUM

9. CONSENT AGENDA

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

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – January 28, 2014

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

AUTHORIZATION FOR EXPENDITURE FROM FEDERAL EQUITABLE SHARING FUNDS FOR \$50,000 TO BE UTILIZED FOR SPECIAL INVESTIGATIONS

Sponsored by: City of North Miami Police Department

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE BROWARD SHERIFF’S OFFICE TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT’S PARTICIPATION IN THE SOUTH FLORIDA INTERNET CRIMES AGAINST CHILD (ICAC) OPERATIONAL TASK FORCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City of North Miami Police Department

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE MIAMI-DADE POLICE DEPARTMENT TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT’S PARTICIPATION IN THE PHOTO IMAGING ACCESS SYSTEM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City of North Miami Police Department

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A GRANT FROM THE PEDESTRIAN AND BICYCLE SAFETY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Governmental Affairs Manager

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE SUBMITTAL OF A VICTIMS OF CRIME ACT (VOCA) GRANT APPLICATION, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE STATE OF FLORIDA'S OFFICE OF THE ATTORNEY GENERAL; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Governmental Affairs Manager

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING HOUSE BILL 307 AND SENATE BILL 356, WHICH WOULD REMOVE A PREEMPTION PLACED ON LOCAL GOVERNMENTS AND WOULD ALLOW CITIES TO REGULATE SHORT TERM VACATION RENTALS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Councilwoman Carol Keys, Esq.

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

10.A. RESOLUTIONS – [NONE]

10.B. LEGISLATIVE MATTERS

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

[TAB H]

PROPOSED ORDINANCE (*SECOND READING*) ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR AN AREA OF APPROXIMATELY 1.33 ACRES IN SIZE, ENCOMPASSING THE PROPERTIES LOCATED AT 1094 NORTHWEST 122ND STREET, 1092 NORTHWEST 122ND STREET, 1080 NORTHWEST 122ND STREET, 1075 NORTHWEST 121ST STREET, 1085 NORTHWEST 121ST STREET, AND 12105 NORTHWEST 11TH AVENUE, FROM LOW DENSITY RESIDENTIAL LAND USE DESIGNATION TO UTILITIES LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Aleem Ghany, Public Works Director

10.B.2. ORDINANCES – FIRST READING

10.C. QUASI-JUDICIAL ITEM(S)

[TAB I]

PROPOSED ORDINANCE (*SECOND READING*) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF AN AREA OF APPROXIMATELY 1.33 ACRES IN SIZE, ENCOMPASSING SIX (6) PROPERTIES ADJACENT TO THE WINSON WATER TREATMENT PLANT, LOCATED AT 1094 NORTHWEST 122ND STREET, 1092 NORTHWEST 122ND STREET, 1080 NORTHWEST 122ND STREET, 1075 NORTHWEST 121ST STREET, 1085 NORTHWEST 121ST STREET, AND 12105 NORTHWEST 11TH AVENUE, FROM THE CURRENT R-2 (RESIDENTIAL) ZONING DESIGNATION TO PU (PUBLIC USE) ZONING DESIGNATION, IN ORDER TO PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS AND TO ALLOW FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Aleem Ghany, Public Works Director

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

QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE ABOVE ITEM(S) 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 PERSON(S) 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.

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB J]

DISCUSSION AND APPROVAL TO PURCHASE A TABLE IN SUPPORT OF FANM AYISYEN NAN MIYAMI / HAITIAN WOMEN OF MIAMI FOR ITS 21ST ANNIVERSARY CELEBRATION, MARCH 8, 2014

(CONTINUED FROM THE JANUARY 28, 2014 COUNCIL MEETING)

Sponsored by: Vice Mayor Scott Galvin

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12. COUNCIL REPORTS

Councilwoman Carol Keys, Esq.
Vice-Mayor Scott Galvin
Councilman Philippe Bien-Aime
Councilwoman Marie Erlande Steril
Mayor Lucie M. Tondreau

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 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.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. 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