

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

REGULAR MEETING

TUESDAY, FEBRUARY 14, 2012  
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)**
  - ◆ Recognition of *Toy Drive for Haiti* Volunteers and Donors
  - ◆ Neighborhood Beautification Program Award
  - ◆ Proclamation in honor of *Black History Month*
  - ◆ Proclamation in honor of *American Heart Month*
- 5. CITY EVENTS – ANNOUNCEMENT**
- 6. CITY PROJECTS UPDATE**
- 7. 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 24, 2012  
*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED AS DONATION TO THE POLICE ATHLETIC LEAGUE (PAL) TO COVER THEIR OPERATING EXPENSES FOR FISCAL YEAR 2012

*Sponsored by: City Administration*  
*Responsible Staff Person: Marc Elias, Jr., Chief of Police*

**[TAB C]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND ASPLUNDH TREE EXPERT CO., FOR TREE TRIMMING SERVICES THROUGHOUT THE CITY, AT A COST NOT TO EXCEED ONE HUNDRED NINETY-EIGHT THOUSAND DOLLARS AND NO CENTS (\$198,000.00), IN ACCORDANCE WITH IFB #18-10-11

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby Crenshaw-Johnson, Purchasing Director*

**[TAB D]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO ENVIRONMENTAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND ES CONSULTANTS, INC., TO CONTINUE ENVIRONMENTAL MONITORING SERVICES AT THE PROPERTY KNOWN AS BISCAYNE LANDING

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby Crenshaw-Johnson, Purchasing Director*

**[TAB E]**

PROPOSED RESOLUTION AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS TO COUNTRY BILL'S LAWN MAINTENANCE, INC., FOR LAWN MAINTENANCE SERVICES AT THE PROPERTY KNOWN AS BISCAYNE LANDING, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS OF THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND COUNTRY BILL'S LAWN MAINTENANCE, INC.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby Crenshaw-Johnson, Purchasing Director*

**[TAB F]**

PROPOSED RESOLUTION AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS TO BRYANT SECURITY CORPORATION FOR SECURITY SERVICES AT THE PROPERTY KNOWN AS BISCAYNE LANDING, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS OF THE SECURITY GUARD SERVICE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND BRYANT SECURITY CORPORATION

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby Crenshaw-Johnson, Purchasing Director*

**[TAB G]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO-YEAR CONTRACT WITH PORT CONSOLIDATED, INC., FOR THE PURCHASE AND DELIVERY OF GASOLINE AND DIESEL FUEL FOR CITY OWNED VEHICLES, IN THE AMOUNT OF ONE MILLION NINE HUNDRED FORTY THOUSAND FOUR HUNDRED DOLLARS AND NO CENTS (\$1,940,400.00), IN ACCORDANCE WITH THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP - RFP NUMBER 09-A-149, IN ORDER TO MAINTAIN THE UNINTERRUPTED SUPPLY AND DELIVERY OF MOTOR FUEL TO THE CITY

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby Crenshaw-Johnson, Purchasing Director*

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

## 8.A. QUASI-JUDICIAL ITEMS -- [NONE]

**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.**

## 8.B. LEGISLATIVE MATTERS

### 8.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

#### [TAB H]

PROPOSED ORDINANCE (**SECOND READING**) AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED “LAND DEVELOPMENT REGULATIONS” BY AMENDING ARTICLE 4 ENTITLED “ZONING DISTRICTS”, SPECIFICALLY AT SECTION 4-101 ENTITLED “ESTABLISHMENT OF ZONING DISTRICTS”, TO REFERENCE THE REGIONAL ACTIVITY CENTER (RAC) AS AN OVERLAY AND SPECIAL PURPOSE DISTRICT, AND TO FURTHER AMEND DIVISION 4, ENTITLED “SPECIAL PURPOSE AND OVERLAY DISTRICTS”, TO CREATE A NEW SECTION 4-406 ENTITLED “REGIONAL ACTIVITY CENTER”, IN ORDER TO LIST THE USES PERMITTED IN THE RAC CONSISTENT WITH THE CITY’S COMPREHENSIVE PLAN

*Sponsored by: City Administration*

*Responsible Staff Person: Maxine Calloway, CP&D Director*

#### [TAB I]

PROPOSED ORDINANCE (**SECOND READING**) AMENDING CHAPTER 29 OF THE 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 EXPAND THE LIST OF PERMITTED USES, AND TO FURTHER AMEND SUBSECTION B2.F AND SUBSECTION B2H.V, TO REVISE THE DEVELOPMENT STANDARDS AND PROVIDE FOR A WAIVER AS CONTAINED THEREIN, CONSISTENT WITH THE COMPREHENSIVE PLAN

*Sponsored by: City Administration*

*Responsible Staff Person: Maxine Calloway, CP&D Director*

### 8.B.2. ORDINANCES – FIRST READING -- NONE

### **8.B.3. RESOLUTIONS**

#### **[TAB J]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND WASTE PRO OF FLORIDA, INC., TO PIGGYBACK THE CONTRACT BETWEEN THE CITY OF MIRAMAR, FLORIDA AND WASTE PRO OF FLORIDA, INC., FOR THE PROVISION OF WASTE MANAGEMENT SERVICES

*Sponsored by: Councilman Jean R. Marcellus*

#### **[TAB K]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXPAND THE USE OF INTERPRETERS AND OTHER TRANSLATION SERVICES DURING CITY COUNCIL MEETINGS, INCLUDING NON QUASI-JUDICIAL MATTERS, IN BOTH SPANISH AND CREOLE

*Sponsored by: Councilman Michael R. Blynn*

#### **[TAB L]**

PROPOSED RESOLUTION DECLARING NO OBJECTION AND SUPPORTING THE HONORARY CO-DESIGNATIONS BY THE FLORIDA LEGISLATURE DESIGNATING FLORIDA TRANSPORTATION FACILITIES (“ROADWAYS”) LOCATED WITHIN THE CITY OF NORTH MIAMI, PURSUANT TO HOUSE BILL 385 AND HOUSE BILL 9; AND FURTHER REQUESTING THAT THE CURRENT LANGUAGE ON THE STREET SIGNAGE, “NORTH MIAMI BLVD” BE REMOVED TO PRESERVE THE AESTHETIC NATURE OF THE NEW SIGN DESIGNATION

*Sponsored by: Lumane Pluviose-Claude, Deputy City Manager*

## **9. REQUESTS – PETITIONS – COMMUNICATIONS**

#### **[TAB M]**

RECOMMENDATION THAT MAYOR AND CITY COUNCIL DIRECT STAFF TO CREATE A POLICY NAMING CURRENT AND FUTURE PARKS AND RECREATION DEPARTMENT BUILDINGS AND FACILITIES AFTER CORPORATIONS AND/OR PHILANTHROPISTS BASED ON CERTAIN LEVELS OF CONTRIBUTIONS

*Sponsored by: City Administration*

*Responsible Staff Person: Jeff Geimer, Parks & Recreation Director*

#### **[TAB N]**

REQUEST FROM THE QUALITY EDUCATION BOARD TO FUND INSTRUCTIONAL PROGRAM ENHANCEMENTS IN SCHOOLS INCLUDED IN NORTH MIAMI’S EDUCATIONAL COMPACT

*Sponsored by: City Administration*

*Responsible Staff Person: Miguel Seco, Governmental Affairs Manager*

#### **[TAB O]**

SELECTION OF CITY ATTORNEY CANDIDATE

*Sponsored by: Mayor and City Council*

## **10. CITIZENS’ FORUM**

## **11. COUNCIL REPORTS**

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

## **12. CITY CLERK'S REPORT**

## **13. CITY ATTORNEY'S REPORT**

## **14. CITY MANAGER'S REPORT**

## **15. 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. 125<sup>TH</sup> 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. 125<sup>TH</sup> 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