

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

REGULAR MEETING

TUESDAY, MARCH 12, 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)**
 - ◆ Sickle Cell Foundation Donation Presentation
 - ◆ H.E.R.O. Healthy Florida, LLC Presentation by *Twig Tolley*
 - ◆ Proclamation in honor of *Women's History 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 L 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 L BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – February 26, 2013
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND
Sponsored by: City Administration
Responsible Staff Person: Marc Elias, Jr., Chief of Police

[TAB C]

PROPOSED RESOLUTION SUPPORTING FLORIDA SENATE BILL 888 NAMED THE DESILINE'S FREE AND FAIR DEMOCRACY ACT
Sponsored by: Mayor Andre D. Pierre

[TAB D]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS TO FIVE (5) VEHICLE VENDORS FOR A TOTAL AMOUNT NOT TO EXCEED EIGHT HUNDRED NINETY THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS AND FIFTY-FIVE CENTS (\$890,666.55), TO PIGGYBACK A COMPETITIVE BID AWARD BY THE SHERIFFS' OFFICES AND LOCAL GOVERNMENTAL AGENCIES OF THE STATE OF FLORIDA COOPERATIVE BID FOR PURSUIT, ADMINISTRATIVE, UTILITY VEHICLES, TRUCKS AND VANS - BID NUMBER 12-20-905, FOR THE PURCHASE OF THIRTY SIX (36) NEW VEHICLES TO BE PLACED IN SERVICE BY THE NORTH MIAMI POLICE DEPARTMENT, PARKS AND RECREATION DEPARTMENT AND THE DEPARTMENT OF PUBLIC WORKS

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-FOUR THOUSAND FOUR HUNDRED FORTY-FIVE DOLLARS AND TWENTY-FIVE CENTS (\$134,445.25), TO PIGGYBACK A CONTRACT AWARD WITH THE CITY OF MIAMI, FLORIDA, FOR THE PURCHASE OF EMERGENCY POLICE VEHICLE EQUIPMENT FROM SIGNAL TECHNOLOGY ENTERPRISES, INC., IN ACCORDANCE WITH THE CITY OF MIAMI INVITATION FOR BID NUMBER 270252

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB F]

PROPOSED RESOLUTION APPROVING 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 STATE DIVISION OF LIBRARY AND INFORMATION SERVICES, TO SECURE A PUBLIC LIBRARY CONSTRUCTION GRANT

Sponsored by: City Administration

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

[TAB G]

PROPOSED RESOLUTION APPROVING THE CITY OF NORTH MIAMI NW 7TH AVENUE COMMERCIAL FACADE PROGRAM APPLICATION AND GUIDELINES

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB H]

PROPOSED RESOLUTION APPROVING THE EXECUTION OF A LEASE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI, AS LANDLORD AND THE POLICE ATHLETIC LEAGUE OF NORTH MIAMI, INC. (PAL), AS TENANT, FOR PORTIONS OF THE PREMISES KNOWN AS "CAGNI PARK" FOR A NINETY NINE (99) YEAR TERM

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB I]

PROPOSED RESOLUTION RATIFYING THE BUDGET AMENDMENT TO THE FISCAL YEAR 2012-2013 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RECEIPT AND APPROPRIATION OF FUNDS FROM THE GENERAL OBLIGATION BOND (GOB) INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY IN THE AMOUNT OF FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000.00), TO BE USED FOR THE CONSTRUCTION OF A RECREATIONAL FACILITY AT RUCKS PARK, IN THE CITY OF NORTH MIAMI

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Budget Manager

[TAB J]

PROPOSED RESOLUTION RATIFYING THE BUDGET AMENDMENT TO THE FISCAL YEAR 2012-2013 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RECEIPT AND APPROPRIATION OF FUNDS FROM THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY (CRA) IN THE AMOUNT OF TWO HUNDRED FIFTY-SIX THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$256,550.00), FOR THE CONTINUATION OF THE CITY OF NORTH MIAMI WAYFINDING SIGNAGE PROJECT

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Budget Manager

[TAB K]

PROPOSED RESOLUTION PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO, LOCAL 6008, FOR THE BARGAINING UNIT CONSISTING OF THE CITY'S , NON-PROFESSIONAL WHITE COLLAR EMPLOYEES; AUTHORIZING THE CITY MANAGER TO EXECUTE AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT

Sponsored by: City Administration

Responsible Staff Person: Rebecca Jones, Personnel Director

[TAB L]

PROPOSED RESOLUTION PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO, LOCAL 6009, FOR THE BARGAINING UNIT CONSISTING OF THE CITY'S BLUE COLLAR EMPLOYEES; AUTHORIZING THE CITY MANAGER TO EXECUTE AND TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT

Sponsored by: City Administration

Responsible Staff Person: Rebecca Jones, Personnel Director

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

8.A. QUASI-JUDICIAL ITEM(S) -- [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 COUNCIL MEMBERS 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 – [NONE]

8.B.2. ORDINANCES – FIRST READING

[TAB M]

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, FOLLOWING THE CHARTER REVIEW PROCESS, TO UPDATE, ORGANIZE AND CLARIFY CHAPTERS OF THE CITY CODE, INCLUDING SUBSTANTIVE LEGAL, STYLISTIC AND ORGANIZATIONAL CHANGES, UPDATING STATUTORY REFERENCES, PROVIDING FOR THE CONSISTENT USE OF TERMS AND REFERENCES, INCLUSION OF GENDER DIVERSITY, CORRECTIONS OF SCRIVENER’S ERRORS, AND LIMITING THE USE OF REDUNDANT LANGUAGE

Sponsored by: City Administration

Responsible Staff Person: Regine M. Monestime, City Attorney

[TAB N]

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 11, ARTICLE X, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “TOWING OF MOTOR VEHICLES”, SPECIFICALLY AT SECTION 11-211, ENTITLED “DEFINITIONS”, AT SECTION 11-229, ENTITLED “REQUIREMENTS FOR NON-CONSENSUAL IMMOBILIZATION OF VEHICLES”, AND EXHIBIT “2”, ENTITLED “CATEGORIES AND MAXIMUM RATES FOR NON-CONSENSUAL TOWING SERVICES”, TO ESTABLISH A MAXIMUM NON-CONSENSUAL IMMOBILIZATION RATE AND ACCEPTABLE METHODS OF PAYMENT, TO REQUIRE IMMOBILIZATION OPERATORS TO OBTAIN AN IMMOBILIZATION PERMIT AND LOCAL BUSINESS TAX RECEIPT, AND TO FURTHER IMPOSE ADDITIONAL NOTICE REQUIREMENTS

Sponsored by: City Administration

Co-Sponsored by: Councilman Jean R. Marcellus

Responsible Staff Person: Regine M. Monestime, City Attorney

[TAB O]

PROPOSED ORDINANCE (***FIRST READING***) AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES, ENTITLED “ELECTIONS”, SPECIFICALLY AT ARTICLE IV, ENTITLED “ELECTIONS ADMINISTRATION”, AND SECTION 6-78, ENTITLED “ELECTION OF CITY COUNCIL MEMBERS”, TO AMEND THE CRITERIA FOR PROOF OF RESIDENCY TO QUALIFY FOR PUBLIC OFFICE

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Sponsored by: Councilman Scott Galvin

8.B.3. RESOLUTIONS

[TAB P]

PROPOSED RESOLUTION URGING PRESIDENT BARACK OBAMA AND THE 113TH CONGRESS OF THE UNITED STATES TO ENACT COMPREHENSIVE IMMIGRATION REFORM IN ACCORDANCE WITH THE FIVE PRINCIPLES EMBRACED BY THE PARTNERSHIP FOR A NEW AMERICAN ECONOMY

Sponsored by: Mayor Andre D. Pierre

[TAB Q]

PROPOSED RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND MAJ INVESTMENT GROUP, LLC., FOR THE PURPOSES OF CREATING THE 1ST ANNUAL CITY OF NORTH MIAMI MARDI GRAS

Sponsored by: Stephen E. Johnson, City Manager

9. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB R]

PROPOSAL TO GIVE \$1 MILLION TO POLICE ATHLETIC LEAGUE (PAL) FUND

Sponsored by: Mayor Andre D. Pierre

[TAB S]

APPOINTMENT OF INITIAL BOARD OF THE 501(c)(3) NORTH MIAMI EDUCATIONAL FOUNDATION, INC.

(CONTINUED FROM FEBRUARY 26, 2013 COUNCIL MEETING)

Sponsored by: Stephen E. Johnson, City Manager

[TAB T]

DISCUSSION REGARDING SECOND (IRRIGATION) METERS

Sponsored by: Stephen E. Johnson, City Manager

[TAB U]

DISCUSSION REGARDING CHARTER HIGH SCHOOL ON THE CLAUDE PEPPER PARK PROPERTY

Sponsored by: Vice-Mayor Marie E. Steril

[TAB V]

BISCAYNE LANDING UPDATE

Sponsored by: Vice-Mayor Marie E. Steril

[TAB W]

DISCUSSION AND APPROVAL FOR SIDEWALKS ON CANAL DRIVE

Sponsored by: Councilman Michael R. Blynn

10. CITIZENS' FORUM

11. COUNCIL REPORTS

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

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. 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