

**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, MARCH 13, 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)**

- ◆ Proclamation in honor of *Women's History Month*
- ◆ Proclamation in honor of *Youth Art Month*
- ◆ Proclamation in honor of *National Nutrition Month*
- ◆ *Senator Oscar Braynon II* will address the Mayor and Council and the City of North Miami residents the outcomes of the 2012 Legislative Session
- ◆ *Representative John Patrick Julien, District 104* will address the Mayor and Council and the City of North Miami residents regarding the 2012 Legislative Session
- ◆ Claude Pepper Park Community Center Update by *Kaufman Lynn Construction*
- ◆ Presentation from *Joseph Nabaka, FIU graduate*, currently with *Student Working Against Tobacco (SWAT)* advocacy organization preventing tobacco use among the youths

**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 B 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 B BE ADOPTED...”

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – February 28, 2012

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

**[TAB B]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND BLACK & VEATCH CORPORATION TO INCREASE THE CONTRACT AMOUNT FROM SIXTY-ONE THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND NO CENTS (\$61,850.00), TO TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$225,000.00), FOR WATER AND SEWER RATES AND FEES ANALYSIS REVIEW AND OTHER RELATED SERVICES

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. 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 -- NONE**

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

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

#### **[TAB C]**

PROPOSED RESOLUTION URGING THE PUBLIC SERVICE COMMISSION TO DENY APPROVAL OF ANY FURTHER “EARLY COST RECOVERY” AND URGING THE FLORIDA LEGISLATURE TO REPEAL THE “EARLY COST RECOVERY” STATUTE RELATING TO ELECTRIC UTILITY CHARGES FOR SITING, DESIGNING, LICENSING, AND CONSTRUCTION OF NUCLEAR PLANTS

*Sponsored by: Councilman Scott Galvin*

#### **[TAB D]**

PROPOSED RESOLUTION PROPOSING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI, AS LANDLORD AND OLETA PARTNERS, LLC, AS TENANT, FOR THE PREMISES KNOWN AS “BISCAYNE LANDING”; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE TERMS OF THE LEASE AGREEMENT

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Director*

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

## **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