



**City of North Miami**  
**City Hall | 2nd Floor | Council Chambers**  
**776 NE 125th Street**  
**North Miami, FL 33161**

**Regular Council Meeting**  
**Summary Minutes**  
**March 22, 2016**

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A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, March 22, 2016, beginning at 7:07 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

**Note:** The actual agenda and all backup materials for each City Council meeting can be found on the website at:

[http://www.northmiamifl.gov/government/Minutes\\_Agendas/CouncilAgendaList.aspx](http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx)

## **ROLL CALL**

- PRESENT: Mayor Joseph  
Councilman Galvin  
Councilman Keys  
Councilman Bien-Aime  
Vice Mayor Desulme

## **PLEDGE OF ALLEGIANCE**

- Major Annemarie Cardona, North Miami Police Department

## **INVOCATION**

- Pastor Mireille Simon, House of the Living God

## **ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)**

- Pulled TAB B to be heard after the consent agenda.
- Pulled TAB G for presentation.
- Moved TAB L and M to the end of the agenda.
- Removed TAB P.

## **SPECIAL PRESENTATION(S)**

- Certificate of Recognition presented to the Employee of the Quarter - Winter 2016, Brenda Lee, Confidential Administrative Coordinator, Personnel Department.

- Presentation on Zika Virus Awareness and Precautionary Tips by Sgt. Angelo Brinson, Emergency Manager.
- Award Recognitions in honor of National Women’s History Month.

## **CITY EVENTS – ANNOUNCEMENT**

- Cassandra Timothe, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: [www.northmiamifl.gov/celebrate](http://www.northmiamifl.gov/celebrate).

## **CITY PROJECTS UPDATE – None**

## **CONSENT AGENDA**

- TABS A THROUGH G

### **TAB A – PASSED - APPROVAL OF MINUTES — March 8, 2016**

**TAB B – PASSED – [Resolution no. 2016-R-34](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE BETTER BUILDING INITIATIVE GOALS COMPILED AND REPORTED BY THE MAYORS CLIMATE PROTECTION CENTER DURING THE UNITED STATES CONFERENCE OF MAYORS IN JANUARY 2016, FOR THE PURPOSE OF REDUCING FUTURE ENERGY USE AND CARBON EMISSIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Mayor Joseph to approve the item. Seconded by Councilman Galvin. Council voted; **passed 5-0.**

**TAB C – PASSED - [Resolution no. 2016-R-32](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A GRANT FOR THE OCCUPANT PROTECTION AND CHILD SAFETY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB D – PASSED - [Resolution no. 2016-R-33](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR A**

GRANT FOR THE NATIONAL URBAN AND COMMUNITY FORESTRY PROGRAM;  
PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB E – PASSED - Resolution no. 2016-R-31** - 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 AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR THE PROVISION OF INTERNET SERVICES, AT A COST NOT TO EXCEED FORTY-FIVE THOUSAND DOLLARS (\$45,000.00) FOR THE CURRENT FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB F – PASSED - Resolution no. 2016-R-35** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A PORTION OF A CITY OWNED RIGHT-OF-WAY FOR NW 13TH AVENUE, MEASURING 114 FEET LONG AND 60 FEET WIDE, LYING IMMEDIATELY NORTH OF NW 119TH STREET, BETWEEN BLOCKS 17 AND 32 OF SUNKIST GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 49, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PORTION OF THE RIGHT-OF-WAY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE CONVEYANCE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Vice Mayor Desulme motioned to approve the consent agenda, TABS A, C, D, E and F. Seconded by Councilman Galvin. Council voted; **passed unanimously**.

**TAB G – PULLED** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A TENTATIVE PLAT REQUEST FROM CRP/WESTPORT SELF STORAGE 125TH, LLC, D/B/A U.S. STORAGE CENTERS, TO CONSOLIDATE FOUR (4) ADJACENT PARCELS (SPECIFICALLY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NUMBERS 06-2229-042-0190, 06-2229-042-0220, 06-2229-042-0222, AND 06-2229-042-0240 INTO ONE (1) SINGLE PARCEL WITH ONE (1) SINGLE FOLIO NUMBER, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND CHAPTER 28, SECTION 28-7 (B) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to move the item to the next meeting. Seconded by Vice Mayor Desulme Council voted; **passed 5-0**.

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

## RESOLUTIONS

**TAB H – Resolution no. 2016-R-36** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF ZTI, LLC, AS THE LOWEST, RESPONSIVE BIDDER FOR THE PROVISION OF SWIMMING POOL RESURFACING SERVICES, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE THOMAS SASSO POOL DECK RESURFACING INVITATION TO BID NO. 16-15-16; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF STATED SERVICES WITH ZTI, LLC, AT A COST NOT TO EXCEED SEVENTY-SIX THOUSAND FIVE HUNDRED SIXTY-FIVE DOLLARS (\$76,565.00); AND IN THE EVENT NEGOTIATIONS FAIL, AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE NEXT LOWEST, RESPONSIVE FIRM UNTIL AN AGREEMENT IS EXECUTED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Ordinance title for the record. Motion made by Councilman Galvin to approve the item. Seconded by Vice Mayor Desulme. Council voted; **passed 5-0.**

**TAB I – Resolution no. 2016-R-37** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF MAGGOLC, INC., AS THE SECOND LOWEST-RESPONSIVE, RESPONSIBLE CONTRACTOR TO FURNISH MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE INSTALLATION OF TWO (2) TRAFFIC CIRCLES; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE INSTALLATION OF TWO (2) TRAFFIC CIRCLES AT SELECTED LOCATIONS, IN THE AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-ONE THOUSAND FIVE HUNDRED TWENTY-SEVEN DOLLARS AND EIGHTY CENTS (\$221,527.80), IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID 32' TRAFFIC CIRCLE PROJECT IFB NO. 43-07-15, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to approve the item. Seconded by Vice Mayor Desulme. Council voted; **passed 5-0.**

**TAB J – Resolution no. 2016-R-38** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER TO SOUTHERN SEWER EQUIPMENT SALES AND SERVICE, INC., AS THE SOLE SOURCE PROVIDER OF VAC-CON EQUIPMENT SALES, PARTS AND MAINTENANCE SERVICES, AS REQUIRED TO REFURBISH CITY EQUIPMENT FOR ONGOING MAINTENANCE OF THE CITY'S STORMWATER DRAINAGE INFRASTRUCTURE SYSTEM, AT A COST NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), IN ACCORDANCE WITH

SECTION 7-143 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to approve the item. Seconded by Councilman Bien-Aime Council voted; **passed 5-0**.

**TAB K** - [Resolution no. 2016-R-39](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF SOLUTIONS CAPITAL GROUP, INC., AS THE LOWEST, RESPONSIVE LOCAL BIDDER FOR THE CONSTRUCTION OF CONCRETE WALLS AT DESIGNATED LOCATIONS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID CONCRETE WALL & TREX FENCE NO. 02-15-16, AS AMENDED; FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF SUCH WALLS WITH SOLUTIONS CAPITAL GROUP, INC., AT A COST NOT TO EXCEED SIXTY-THREE THOUSAND NINE HUNDRED NINETY-FIVE DOLLARS (\$63,995.00); AND IN THE EVENT NEGOTIATIONS FAIL, AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE NEXT LOWEST, RESPONSIVE FIRM UNTIL AN AGREEMENT IS EXECUTED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to approve the item. Seconded by Councilman Bien-Aime Council voted; **passed 5-0**.

**TAB L** - [Resolution no. 2016-R-40](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING AND APPROVING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH THE CITY ATTORNEY, IN SUBSTANTIALLY THE ATTACHED FORM; AUTHORIZING THE INTERIM CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE TERMS OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Vice Mayor Desulme to continue item to the next meeting. Seconded by Councilman Galvin. Council voted; **passed 4-1**. Councilman Bien-Aime voted no.

Final Motion:

Michael A. Etienne, Esq., City Clerk, reread the Resolution title for the record. Motion made by Councilman Galvin to approve with ammendments. Seconded by Mayor Joseph Council voted; **passed 5-0**.

**TAB M** - [Resolution no. 2016-R-41](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING AND APPROVING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH THE CITY

MANAGER, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to approve the item with amendments. Seconded by Councilwoman Keys. Council voted; **passed 4-1**. Vice Mayor Desulme voted no.

**TAB N** - [Resolution no. 2016-R-42](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CO-DESIGNATING A PORTION OF NORTHEAST 146TH STREET BETWEEN THE FEC RAILWAY AND NORTHEAST 18TH AVENUE TO BE KNOWN AS “MICHAEL DEZER WAY”; AUTHORIZING THE INTERIM CITY MANAGER TO ALLOCATE AND EXPEND THE REQUIRED FUNDS TO COVER THE COSTS FOR SIGNAGE, AND TO DO ALL THINGS NECESSARY TO EFFECTUATE THE CO-DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., City Clerk, read the Resolution title for the record. Motion made by Vice Mayor Desulme to approve the item. Seconded by Mayor Joseph. Council voted; **passed 5-0**.

## LEGISLATIVE MATTERS

### ORDINANCES – SECOND READING AND PUBLIC HEARING

**TAB O** – [Ordinance no. 1398](#) - 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”, BY AMENDING ARTICLE III, ENTITLED “PROCUREMENT CODE”, SPECIFICALLY AT SECTION 7-151, ENTITLED “PROCEDURE TO PROVIDE PREFERENCE TO LOCAL BUSINESS IN CITY CONTRACTS” TO REQUIRE THE SUBMISSION OF A COMMUNITY BENEFITS PLAN AND LOCAL HIRING INITIATIVES IN BID PROPOSALS FOR CITY-FUNDED PROJECTS EXCEEDING TWO HUNDRED FIFTY THOUSAND (\$250,000.00); PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., City Clerk, read the Ordinance title for the record. Motion made by Councilman Galvin to approve the item with amendments. Seconded by Mayor Joseph. Council voted by roll call; **passed 4-1**. Councilwoman Keys voted no.

### ORDINANCES – FIRST READING

**TAB P** - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 5, DIVISION 16, ENTITLED “STANDARDS FOR SPECIFIC USES”, SPECIFICALLY AT SECTION 5-1608 A.1., ENTITLED “ROOM ADDITIONS TO RESIDENTIAL STRUCTURES AND CONVERSION OF GARAGES OR CARPORTS TO LIVING SPACE” TO REMOVE THE MAXIMUM 250 SQUARE FEET

FLOOR AREA LIMITATION FOR HOME ADDITIONS PERMITTED WITH FLAT ROOFS, AS LONG AS SAID ADDITIONS ARE LOCATED IN THE REAR OF THE PROPERTY AND ARE NOT VISIBLE FROM ANY PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

Pulled from the agenda.

**TAB Q** - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 6, ENTITLED "BOATS, DOCKS, SEAWALLS, ETC.", SPECIFICALLY AT SECTION 5-601, ENTITLED "BOATS" AND SECTION 5-602 ENTITLED "DOCKS" TO ESTABLISH APPROPRIATE REGULATIONS FOR THE TOWNHOME PROPERTIES IDENTIFIED AS SECTIONS 1 THROUGH 9 OF ARETA ESTATES SUBDIVISION, LOCATED ALONG THE SOUTH SIDE OF THE WATERWAY/CANAL IMMEDIATELY NORTH OF NE 123RD STREET, BY ALLOWING BOATS TO BE MOORED EITHER PARALLEL OR PERPENDICULAR TO THE PROPERTY LINE ABUTTING THE CANAL AND BY REVISING THE PROJECTION OF MOORING PILES (DOLPHINS), FLOATING VESSEL PLATFORMS, HYDRO-HOISTS, BOATLIFTS AND WATERCRAFTS INTO THE CITY'S WATERWAYS OR CANALS FROM THE CURRENT MAXIMUM OF TWENTY (20) PERCENT OF THE WIDTH OF THE CANAL, OR TWENTY-FIVE (25) FEET, WHICHEVER IS LESS, TO A MAXIMUM OF TWENTY-FIVE (25) FEET, AS MEASURED FROM THE RECORDED PROPERTY LINE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., City Clerk, read the Ordinance title for the record. Motion made by Councilman Galvin to continue the item to the May 24, 2016, meeting. Seconded by Councilwoman Keys. Council voted; **passed 4-1**. Vice Mayor Desulme voted no.

**QUASI-JUDICIAL ITEM(S) – NONE**

**REQUESTS-PETITIONS-COMMUNICATIONS**

**TAB R** - DISCUSSION REGARDING WASTE PRO CONTRACT AND SERVICES.

No vote.

**CITIZENS' FORUM**

- A variety of residents spoke on issues of interest.

**COUNCIL REPORTS**

- REPORTED:

Mayor Smith Joseph, D.O., Pharm.D.  
Councilwoman Carol Keys, Esq.  
Councilman Scott Galvin  
Vice Mayor Alix Desulme  
Councilman Philippe Bien-Aime

### **CITY CLERK'S REPORT**

- Reported

### **CITY ATTORNEY'S REPORT**

- No report

### **CITY MANAGER'S REPORT**

- Reported

### **ADJOURNMENT**

- Meeting adjourned at 11:41 pm.