

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

REGULAR MEETING

TUESDAY, MARCH 26, 2013
7:00 P.M.

- 1. PLEDGE OF ALLEGIANCE / INVOCATION**
- 2. CALL TO ORDER / ROLL CALL OF MEMBERS**
- 3. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)
- 4. SPECIAL PRESENTATION(s)**
 - ◆ Utility Service Partners, Inc. presentation by *Michael P. Madden*
 - ◆ Proclamation in honor of *Purchasing Month*
 - ◆ Proclamation in honor of *National Nutrition Month*
 - ◆ Proclamation in honor of *Youth Art Month*
- 5. CITY EVENTS – ANNOUNCEMENT**
- 6. PROGRESS 2013 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 I 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 I BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – March 12, 2013
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION APPROVING THE SELECTION OF IMPERIAL SECURITY, INC., AS THE PROVIDER OF SECURITY SERVICES IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 09-12-13 SECURITY GUARD SERVICES FOR THE CITY OF NORTH MIAMI PUBLIC LIBRARY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT IN SUBSTANTIALLY THE ATTACHED FORM, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FOR AN INITIAL TERM OF THREE (3) YEARS

Sponsored by: City Administration
Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB C]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW INVITATION FOR BID #15-09-10 PLUMBING EQUIPMENT AND SUPPLIES PREQUALIFICATION, TO PREQUALIFY VENDORS FOR FUTURE SPOT MARKET PURCHASES ON AN AS NEEDED, WHEN NEEDED BASIS, AT A COST NOT TO EXCEED THREE HUNDRED TWENTY THOUSAND DOLLARS (\$320,000.00), FOR THE TERM COMMENCING APRIL 13, 2013 THROUGH APRIL 12, 2014

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB D]

PROPOSED RESOLUTION AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE COMMANDER PETER CRUZ IN RECOGNITION OF TWENTY-EIGHT (28) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT

Sponsored by: City Administration

Responsible Staff Person: Marc Elias, Jr., Chief of Police

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE COMMANDER JEFFREY KEY IN RECOGNITION OF TWENTY (20) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT

Sponsored by: City Administration

Responsible Staff Person: Marc Elias, Jr., Chief of Police

[TAB F]

PROPOSED RESOLUTION 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

Sponsored by: City Administration

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

[TAB G]

PROPOSED RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION, AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND GANG ALTERNATIVE, INC. FOR GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE BYRNE CRIMINAL JUSTICE INITIATIVE

Sponsored by: City Administration

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

[TAB H]

PROPOSED RESOLUTION 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 (FDOT) FOR A GRANT FROM THE ZERO TOLERANCE IMPAIRED DRIVING ENFORCEMENT PROGRAM

Sponsored by: City Administration

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

[TAB I]

PROPOSED RESOLUTION 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 INLAND NAVIGATION DISTRICT, TO SECURE A WATERWAYS ASSISTANCE PROGRAM GRANT

Sponsored by: City Administration

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

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 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 J]

PROPOSED ORDINANCE (***SECOND 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 K]

PROPOSED ORDINANCE (*SECOND 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 L]

PROPOSED ORDINANCE (*SECOND 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

Sponsored by: Councilman Scott Galvin

8.B.2. ORDINANCES – FIRST READING – [NONE]

8.B.3. RESOLUTIONS

[TAB M]

PROPOSED RESOLUTION PROVIDING FOR APPROVAL OF A MODIFICATION TO THE BIFURCATED GROUND LEASE BETWEEN THE CITY OF NORTH MIAMI, FLORIDA, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION, INC., AND ROYAL OAKS LANE (BISCAYNE LANDING) – NORTH MIAMI, LLC; AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION

(CONTINUED FROM JANUARY 22, 2013 COUNCIL MEETING)

Sponsored by: City Administration

9. REQUESTS – PETITIONS – COMMUNICATIONS

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