

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

REGULAR MEETING

TUESDAY, APRIL 9, 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)

- ◆ Adult Education Tuition Program at North Miami Senior High School presentation by *Dr. Lumane Pluviose-Claude, Deputy City Manager*
- ◆ American Cancer Society, North Miami's "Relay for Life" event, May 31, 2013 presentation by *Vanessa Pineda, Community Representative*
- ◆ Presentation of Draft Downtown Master Development and Major Corridor Plan by *Keith & Schnars*
- ◆ North Miami 2014 Mardi Gras Project Update by *Ringo Cayard, MAJ Investments*
- ◆ Proclamation in honor of *Fair Housing Month*
- ◆ Proclamation in honor of *National Autism Awareness Month*
- ◆ Proclamation in honor of *Jazz Appreciation Month*
- ◆ Proclamation in honor of *National Financial Literacy 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 C 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 C BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – March 26, 2013

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER MICHAEL CHIN IN RECOGNITION OF EIGHTEEN (18) 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 C]

PROPOSED RESOLUTION APPROVING SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY NORTHWEST 16TH AVENUE, ON THE EAST SIDE BY NORTHWEST 13TH AVENUE, ON THE NORTH SIDE BY NORTHWEST 131ST STREET AND ON THE SOUTH SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (OTHERWISE KNOWN AS “AREA 2”)

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

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

8.A. QUASI-JUDICIAL ITEM(S)

[TAB D]

PROPOSED RESOLUTION AUTHORIZING APPROVAL OF THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING TWENTY-SEVEN (27) BONUS UNITS FROM OUTSIDE THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT SECONDARY POOL OF ONE THOUSAND (1,000) FLOATING RESIDENTIAL UNITS FOR THE PROPERTY KNOWN AS PARKVIEW VILLAS, GENERALLY LOCATED ON THE NORTH SIDE OF NORTHEAST 135TH STREET AT APPROXIMATELY FIVE THOUSAND TWO HUNDRED EIGHTY-NINE FEET (5,289’) EAST OF BISCAYNE BOULEVARD, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-204 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.

QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE ABOVE ITEM(S) 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 PERSON(S) 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 E]

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 MARCH 26, 2013 COUNCIL MEETING)

Sponsored by: City Administration

[TAB F]

PROPOSED RESOLUTION CALLING FOR THE CANCELLATION AND CONTINUANCE OF CITY COUNCIL MEETINGS IN OBSERVANCE OF CERTAIN LEGAL AND RELIGIOUS HOLIDAYS

Sponsored by: Councilman Scott Galvin

9. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB G]

DISCUSSION AND APPROVAL TO DONATE \$5,000 TO POLICE ATHLETIC LEAGUE (PAL) FOR THEIR ANNUAL F.A.C.T. FESTIVAL EVENT ON APRIL 27, 2013

Sponsored by: City Administration

[TAB H]

DISCUSSION AND APPROVAL TO DONATE \$2,500 TO “A TASTE OF HAITI” EVENT SCHEDULED FOR MAY 11, 2013

Sponsored by: Mayor Andre D. Pierre

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