

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

REGULAR MEETING

TUESDAY, APRIL 23, 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)**
 - ◆ First Generation Scholarship presentation by *Dr. Lumane Pluviose-Claude, Deputy City Manager*
 - ◆ City of North Miami wins ‘*Drinking Water Taste Test*’ at the *Florida Section of the American Water Works Association (FSAWWA) Region VII*
 - ◆ Proclamation in honor of *April is Water Conservation Month*
 - ◆ Proclamation in honor of Officer of the Month, March 2013, *Officer Pedro Lao*
 - ◆ Proclamation in honor of *El Dia de Los Ninos/El Dia de los Libros*

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 D 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 D BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – April 9, 2013
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A RENEWAL AND EXTENSION OF AN EXISTING LEASE AGREEMENT WITH CROWN CASTLE SOUTH LLC, FOR COMMUNICATIONS FACILITY SITUATED ON CITY-OWNED REAL PROPERTY, LOCATED AT 835 NORTHEAST 132ND STREET
Sponsored by: City Administration
Responsible Staff Person: Ricardo Castillo, Information Technology Director

[TAB C]

PROPOSED RESOLUTION APPROVING THE SELECTION OF LBS SERVICES, INC., TO PROVIDE PROFESSIONAL CONSULTING SERVICES TO FACILITATE THE ESTABLISHMENT OF A PUBLIC CHARTER SCHOOL AT THE CLAUDE PEPPER PARK SITE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE PROVISION OF CONSULTING SERVICES IN THE AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00), FROM BISCAYNE LANDING PROCEEDS

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB D]

PROPOSED RESOLUTION PROCLAIMING MAY 2013 AS “MAKE YOUR CITY GREEN MONTH”

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

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

8.A. QUASI-JUDICIAL ITEM(S)

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE CONCEPTUAL MASTER DEVELOPMENT PLAN FOR TRACT A OF BISCAYNE LANDING PLAT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 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. RESOLUTIONS

[TAB F]

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 CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION
(CONTINUED FROM APRIL 9, 2013 COUNCIL MEETING)

Sponsored by: City Administration

[TAB G]

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 SOUTH SIDE BY NORTHWEST 131ST STREET AND ON THE NORTH SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (OTHERWISE KNOWN AS "AREA 2")
(ITEM PULLED AND CONTINUED FROM THE APRIL 9, 2013 COUNCIL AGENDA)

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB H]

PROPOSED RESOLUTION APPOINTING DANNY P. FELTON, SR. TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Sponsored by: Stephen E. Johnson, City Manager

[TAB I]

PROPOSED RESOLUTION APPOINTING GLORIA ROMERO ROSES TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Sponsored by: Stephen E. Johnson, City Manager

[TAB J]

PROPOSED RESOLUTION APPOINTING DANNA F. MAGLOIRE-FENELON, ESQ., TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Sponsored by: Stephen E. Johnson, City Manager

[TAB K]

PROPOSED RESOLUTION APPOINTING KENNETH EACH TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Sponsored by: Stephen E. Johnson, City Manager

[TAB L]

PROPOSED RESOLUTION APPOINTING CAMEUS JACOB TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Sponsored by: Stephen E. Johnson, City Manager

8.C. LEGISLATIVE MATTERS

8.C.1. ORDINANCES – SECOND READING AND PUBLIC HEARING – [NONE]

8.C.2. ORDINANCES – FIRST READING

[TAB M]

PROPOSED ORDINANCE (*FIRST READING*) AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT”, BY AMENDING ARTICLE III, ENTITLED “CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM,” DIVISION 1, ENTITLED “GENERALLY”, AT SECTION 15-61, ENTITLED “DEFINITIONS” TO ALLOW EMPLOYEES TO PURCHASE CREDITED SERVICE IN THE PLAN BASED UPON THE EMPLOYEE’S PRIOR GOVERNMENTAL SERVICE AND UPON MEETING CERTAIN CONDITIONS

Sponsored by: Pension Board

9. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB N]

DISCUSSION AND APPROVAL FOR AN ADDITIONAL \$50,000 FOR REMOVAL AND REPLACEMENT OF APPROXIMATELY 2,000 LF OF SIDEWALK REPAIRS

Sponsored by: Mayor Andre D. Pierre

[TAB O]

DISCUSSION REGARDING NATIONAL DAY OF PRAYER, MAY 2, 2013

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