

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

REGULAR MEETING

TUESDAY, JUNE 12, 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 *Code Enforcement Week*
- ◆ Proclamation in honor of *Caribbean American Heritage Month*
- ◆ Proclamation in honor of *Gay Pride Month*
- ◆ Presentation to *Dr. Fleurimonde Charles, City Manager, City of Delmas*
- ◆ Youth Opportunity Board (YOB) presentation of awards *by Heather Holliday, Chairperson*
- ◆ Presentation to Outgoing *Code Enforcement Board Members*
- ◆ Claude Pepper Park Community Center Update *by Kaufman, Lynn*

5. CITY EVENTS – ANNOUNCEMENT

6. HURRICANE PREPAREDNESS

7. CITY PROJECTS UPDATE

8. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH K 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 K BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – May 22, 2012
Special Council Meeting – May 23, 2012

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION AMENDING FISCAL YEAR 2011-2012 ADOPTED AMENDED REVENUE AND EXPENSE BUDGETS, TO INCLUDE THE RECEIPT AND APPROPRIATION OF FUNDS FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA), IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), FOR NEEDED IMPROVEMENTS TO THE BASKETBALL COURTS AT CLAUDE PEPPER PARK

Sponsored by: City Administration

Responsible Staff Person: Kay Grant, Budget Manager

[TAB C]

PROPOSED RESOLUTION RATIFYING THE AMENDMENT TO FISCAL YEAR 2011-2012 ADOPTED AMENDED REVENUE AND EXPENSE BUDGETS, TO INCLUDE THE RECEIPT AND APPROPRIATION OF FUNDS FROM THE COMMUNITY REDEVELOPMENT AGENCY (CRA) IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) FOR THE PREDEVELOPMENT PHASE OF PIONEER GARDENS (RUCKS PARK)

Sponsored by: City Administration

Responsible Staff Person: Kay Grant, Budget Manager

[TAB D]

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED FOR RENTAL VEHICLES TO BE USED BY THE CRIME SUPPRESSION TEAM

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 OFFICER PHILLIP S. LYTLE IN RECOGNITION OF OVER THIRTY-ONE (31) 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 APPROVING FISCAL YEAR 2012-2013 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB G]

PROPOSED RESOLUTION APPROVING AMENDMENTS TO FISCAL YEARS 2000, 2002, 2003, 2005, 2006, 2007 AND 2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLANS BY REPROGRAMMING FUNDS FROM GROUNDS IMPROVEMENT PROJECTS TO SINGLE FAMILY HOUSING REHABILITATION

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB H]

PROPOSED RESOLUTION APPROVING A WAIVER OF PLAT FOR THE PROPERTY LOCATED AT 535 NW 121 STREET, IN ACCORDANCE WITH SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES AND CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB I]

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 TETRA TECH, INC., TO INCLUDE WORK ORDER NUMBER 2: FILTER REHABILITATION CONTRACT DOCUMENTS REVIEW, AT A COST NOT TO EXCEED FIFTY-SEVEN THOUSAND FOUR HUNDRED SIXTY DOLLARS (\$57,460.00) AND WORK ORDER NUMBER 3: BIDDING ASSISTANCE AND ENGINEERING SERVICES DURING REHABILITATION OF SIX BISCAYNE AQUIFER PUBLIC WATER SUPPLY WELLS, AT A COST NOT TO EXCEED SEVENTY-NINE THOUSAND EIGHT HUNDRED SEVENTY DOLLARS (\$79,870.00), FOR SERVICES RELATING TO THE OPERATIONS OF THE WINSON WATER TREATMENT PLANT

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB J]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE RESIDENTIAL AND COMMERCIAL WATER METERS AND REPLACEMENT PARTS FROM SENSUS USA, INC., AS THE SOLE SOURCE MANUFACTURER OF SENSUS METER READING SYSTEMS, IN ACCORDANCE WITH SECTION 7-143 OF THE CITY CODE OF ORDINANCES, AT A COST NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB K]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO ALLOCATE AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), TO LAUNCH AN EDUCATIONAL AND PUBLIC AWARENESS CAMPAIGN REGARDING THE REFERENDUM THAT WILL TAKE PLACE ON THE AUGUST 14, 2012, PRIMARY ELECTION PROPOSING THE USE OF GENERAL OBLIGATION BONDS TO FINANCE THE RENOVATION AND EXPANSION OF THE CITY OF NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA)

Sponsored by: Stephen E. Johnson, City Manager

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

9.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 COUNCIL MEMBERS 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.

9.B. LEGISLATIVE MATTERS

9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING -- [NONE]

9.B.2. ORDINANCES – FIRST READING

[TAB L]

PROPOSED ORDINANCE (*FIRST READING*) AMENDING CHAPTER 2 OF THE CITY CODE OF ORDINANCES ENTITLED “ADMINISTRATION”, SPECIFICALLY AT ARTICLE I ENTITLED “IN GENERAL”, TO CREATE A NEW SECTION 2-2 ENTITLED “RESERVE FUND ACCOUNT”, IN ORDER TO ESTABLISH AND ADMINISTER A RESERVE FUND ACCOUNT IN ACCORDANCE WITH THE GOVERNMENT ACCOUNTING STANDARD BOARD STATEMENT NO. 54, FUND BALANCE REPORTING AND GOVERNMENT FUND TYPE DEFINITIONS (GASB 54), WITH AN INITIAL MINIMUM ALLOCATION OF FIVE MILLION DOLLARS (\$5,000,000.00) FROM THE BISCAYNE LANDING LEASE PROCEEDS

Sponsored by: City Administration

Responsible Staff Person: Vernon Paul, Jr., Finance Director

9.B.3. RESOLUTIONS

[TAB M]

PROPOSED RESOLUTION SUPPORTING THE MIAMI-DADE COUNTY LEAGUE OF CITIES’ EFFORTS TO NEGOTIATE A NEW CHARTER COUNTY TRANSIT SYSTEM SURTAX INTERLOCAL AGREEMENT ON BEHALF OF THE MUNICIPALITIES IN MIAMI-DADE COUNTY; FURTHER APPOINTING A CITY REPRESENTATIVE

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

10. REQUESTS – PETITIONS – COMMUNICATIONS

11. CITIZENS’ FORUM

12. COUNCIL REPORTS

Mayor Andre D. Pierre, Esq.
Vice-Mayor Jean R. Marcellus
Councilman Michael R. Blynn, Esq.
Councilman Scott Galvin
Councilwoman Marie Erlande Steril

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. CITY MANAGER'S REPORT

16. 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