

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

REGULAR MEETING

TUESDAY, AUGUST 28, 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 to the Public Works Department in honor of *National Water Quality Month*
- ◆ Presentation to Employee of the Quarter (Spring 2012) *Ms. Gloria Johnson, Police Communications Officer*
- ◆ Special Recognition to the *Back to School Bash and Health Fair* sponsors for their support
- ◆ Certificate of Appreciation to *Joe Caragol, Director of Emergency Management/LEO, City of Hialeah*
- ◆ Comprehensive Audit Financial Report (CAFR) presentation by *Harvey, Covington & Thomas, LLC* for Fiscal Year 2010-2011

**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 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 – July 10, 2012  
*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A GRANT PROGRAM AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE NORTH MIAMI FOUNDATION FOR SENIOR CITIZENS' SERVICES, INC., FOR COMMUNITY BASED SOCIAL SERVICES

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Director*

**[TAB C]**

PROPOSED RESOLUTION RATIFYING THE CITY MANAGER'S APPROVAL AND EXECUTION OF A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND COASTLAND CONSTRUCTION, INC., FOR ADDITIONAL RELATED SERVICES REQUIRED FOR THE COMPLETION OF THE NW 131ST STREET STREETScape IMPROVEMENT PROJECT, AT A COST NOT TO EXCEED TWO HUNDRED EIGHTY FOUR THOUSAND DOLLARS (\$284,000.00), AND TO EXTEND THE TIME FOR PERFORMANCE TO NOVEMBER 30, 2012

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Director*

**[TAB D]**

PROPOSED RESOLUTION RECOGNIZING "FEEDING SOUTH FLORIDA" AS OUR PARTNER IN HUNGER RELIEF FOR THE RESIDENTS OF THE CITY OF NORTH MIAMI, CONSISTENT WITH OUR COMMITMENT TO A HEALTHIER COMMUNITY

*Sponsored by: Councilwoman Marie Erlande Steril*

**[TAB E]**

PROPOSED RESOLUTION DESIGNATING NE 7TH AVENUE FROM 121ST STREET TO 125TH STREET TO BE KNOWN AS "SERGEANT STEVEN E. BAUER, SERGEANT LYNETTE HODGE, AND SERGEANT CARL MERTES BOULEVARD"; AUTHORIZING THE CITY MANAGER TO ALLOCATE AND EXPEND THE NECESSARY FUNDS TO COVER THE COSTS FOR SIGNAGE, AND DO ALL NECESSARY THINGS TO EFFECTUATE THE DESIGNATION

*Sponsored by: Mayor Andre D. Pierre, Esq.*

**[TAB F]**

PROPOSED RESOLUTION RECOGNIZING THE MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST'S EFFORTS TO PROCLAIM OCTOBER 12, 2012, "ETHICAL GOVERNANCE DAY"

*Sponsored by: Mayor Andre D. Pierre, Esq.*

**[TAB G]**

PROPOSED RESOLUTION AUTHORIZING THE APPOINTMENT OF BEATRICE CAZEAU, AS SPECIAL MAGISTRATE FOR CODE ENFORCEMENT PROCEEDINGS AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A ONE (1) YEAR LETTER OF AGREEMENT WITH THE SPECIAL MAGISTRATE, IN SUBSTANTIALLY THE ATTACHED FORM

*Sponsored by: City Administration*

*Responsible Staff Person: Marc Elias, Chief of Police*

**[TAB H]**

PROPOSED RESOLUTION APPROVING CRITERIA FOR THE CITY’S COMMUNITY WAYFINDING GUIDE SIGNS DESTINATIONS PURSUANT TO PART V, RULE 14-51.051(3), FLORIDA ADMINISTRATIVE CODE, GOVERNING COMMUNITY WAYFINDING GUIDE SIGNS

*Sponsored by: City Administration*

*Responsible Staff Person: Maxine Calloway, CP &D Director*

**[TAB I]**

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES

*Sponsored by: City Administration*

*Responsible Staff Person: Maxine Calloway, CP &D Director*

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

**9.A. QUASI-JUDICIAL ITEMS**

**[TAB J]**

PETITION FOR A MUSIC AND ENTERTAINMENT LICENSE PURSUANT TO CHAPTER 3, SECTION 3-8 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, IN THE M-1 ZONING DISTRICT, **SUNNY ISLES EATERY, INC.; 151ST STREET HOLDINGS, LLC, 2050 NORTHEAST 151ST STREET, NORTH MIAMI, FL**

*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 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.***

**9.B. LEGISLATIVE MATTERS**

**9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING**

**[TAB K]**

PROPOSED ORDINANCE (*SECOND READING*) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS” BY AMENDING ARTICLE 5, DIVISION 12 ENTITLED “LANDSCAPING AND SCREENING”, SPECIFICALLY AT SECTION 5-1203 ENTITLED “GENERAL STANDARDS,” TO CURTAIL OR RESTRICT CERTAIN USES OF WATER TO CONSERVE AVAILABLE WATER RESOURCES DURING A DECLARED WATER SHORTAGE OR WATER SHORTAGE EMERGENCY, IN ACCORDANCE WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT REGULATIONS

*Sponsored by: City Administration*

*Responsible Staff Person: Aleem Ghany, Public Works Director*

**9.B.2. ORDINANCES – FIRST READING**

**[TAB L]**

PROPOSED ORDINANCE (*FIRST READING*) AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES ENTITLED “FINANCE”, UNDER ARTICLE III, ENTITLED “PROCUREMENT CODE”, SPECIFICALLY AT SECTION 7-118, ENTITLED “DEFINITIONS”, SECTION 7-120, ENTITLED “APPLICATION OF THIS CODE”, SECTION 7-121, ENTITLED “EXCEPTIONS”, AND A NEW SECTION 7-153, ENTITLED “PURCHASE OR LEASE OF REAL PROPERTY”, TO PROVIDE FOR THE INCLUSION AND APPLICABILITY OF THE PROCUREMENT CODE TO ALL REAL PROPERTY PURCHASES AND LEASEHOLD TRANSACTIONS, PURSUANT TO STATUTORY LAWS AND IN ACCORDANCE WITH THE POWERS VESTED TO THE CITY BY THE FLORIDA CONSTITUTION

*Sponsored by: Regine M. Monestime, City Attorney*

**9.B.3. RESOLUTIONS – [NONE]**

**10. REQUESTS – PETITIONS – COMMUNICATIONS**

**[TAB M]**

DISCUSSION AND APPROVAL OF RADIO MEGA’S “NORTH MIAMI MEGANAVAL” CELEBRATION  
*(ITEM CONTINUED FROM THE JULY 10, 2012 COUNCIL MEETING)*

**[TAB N]**

DISCUSSION REGARDING DONATION OF CITY’S GARBAGE COLLECTION VEHICLES TO OPERATION GREEN LEAVES (OGL), NOT-FOR-PROFIT ORGANIZATION

*Sponsored by: Mayor Andre D. Pierre, Esq.*

**[TAB O]**

DISCUSSION REGARDING CITY’S CODE ON ROOF REPAIR

*Sponsored by: Councilman Scott Galvin*

**[TAB P]**

REQUEST FROM DOUGLAS HINDMARSH TO ADDRESS TWO ISSUES:

*City of North Miami Council Agenda – Regular Meeting*

*Page 4*

*August 28, 2012*

- 1) LIVESTOCK FARM ANIMALS IN NORTH MIAMI; AND
- 2) NORTH MIAMI PROVIDING WI-FI WITHIN A 3-MILE RADIUS FROM CITY HALL

## **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. 125<sup>TH</sup> 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. 125<sup>TH</sup> 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