

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

REGULAR MEETING

TUESDAY, SEPTEMBER 11, 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 of *U.S. Constitution Day*
- ◆ Proclamation to *Commemorate the Anniversary of the September 11th Tragedy*
- ◆ Proclamation in honor of *National Hispanic Heritage Month*
- ◆ Proclamation in honor of “*Sign-up for your Library Card Month*”
- ◆ Presentation to *North Miami PAL Golf Tournament* in collaboration with *Miami Beach PAL*

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 G 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 G BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – August 28, 2012
Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION DESIGNATING EMERALD DRIVE TO BE KNOWN AS “CHIEF KENNETH EACH DRIVE”; AUTHORIZING THE CITY MANAGER TO ALLOCATE AND EXPEND THE NECESSARY FUNDS TO COVER THE COSTS FOR SIGNAGE, AND DO ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION

Sponsored by: Mayor Andre D. Pierre, Esq.

[TAB C]

PROPOSED RESOLUTION ADOPTING AN “ADMINISTRATIVE FORECLOSURE PROGRAM”; FURTHER AUTHORIZING THE CITY ATTORNEY TO TAKE ANY ACTION IN LAW OR EQUITY TO COLLECT ON MUNICIPAL LIENS AND SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO, FORECLOSURE LITIGATION

Sponsored by: Regine M. Monestime, City Attorney

[TAB D]

PROPOSED RESOLUTION APPROVING 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 STATE DIVISION OF LIBRARY AND INFORMATION SERVICES, TO SECURE A STATE AID TO LIBRARIES GRANT 2012-2013

Sponsored by: City Administration

Responsible Staff Person: Lucia Gonzalez, Library Manager

[TAB E]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND LITTLE HAITI HOUSING ASSOCIATION, INC.; APPROVING FOR THE DISBURSEMENT OF HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS IN ACCORDANCE WITH THE 2011-2012 ACTION PLAN TO FINANCE AFFORDABLE HOUSING

Sponsored by: City Administration

Responsible Staff Person: Maxine Calloway, CP&D Director

[TAB F]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND KIMLEY-HORN AND ASSOCIATES, INC., FOR THE PROVISION OF CIVIL ENGINEERING AND OTHER RELATED SERVICES AS REQUIRED FOR THE FORCE MAIN TRANSMISSION PIPING UPGRADES PROJECT, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN RFQ #38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

[TAB G]

PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND EAC CONSULTING, INC., FOR THE PROVISION OF CIVIL ENGINEERING AND OTHER RELATED SERVICES AS REQUIRED FOR THE FORCE MAIN EXTENSION IMPROVEMENTS PROJECT, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN RFQ #38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Director

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

9.A. QUASI-JUDICIAL ITEMS

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

[TAB H]

PROPOSED ORDINANCE (*SECOND 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.2. ORDINANCES – FIRST READING – [NONE]

9.B.3. RESOLUTIONS – [NONE]

10. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB I]

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.

(CONTINUED FROM AUGUST 28, 2012 COUNCIL MEETING)

11. CITIZENS' FORUM

12. COUNCIL REPORTS

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

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