



City of North Miami
City Hall | 2nd Floor | Council Chambers
776 NE 125th Street
North Miami, FL 33161

Regular Council Meeting
Summary Minutes
September 13, 2016

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, September 13, 2016, beginning at 7:07 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known).

Note: The actual agenda and all backup materials for each City Council meeting can be found on the website at:

http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx

ROLL CALL

- PRESENT: Mayor Joseph
Councilman Galvin
Councilwoman Keys
Councilman Bien-Aime
Vice Mayor Desulme

PLEDGE OF ALLEGIANCE

- Officer Mercy Noel, North Miami Police Department

INVOCATION

- Pastor Thelma Knowles, Lively Stones for Jesus

ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

- TAB H removed from the agenda to be heard at a future meeting.
- TAB B moved from the consent agenda for discussion.

SPECIAL PRESENTATION(S)

- Certificate of Recognition presented to artist Nereida Garcia Ferraz and North Miami Hispanic Heritage Month Committee in honor of National Hispanic Heritage Month.
- Certificate of Recognition presented to *Johnson and Wales University* and *Florida International University* in honor of National Campus Safety Awareness Month.

CITY EVENTS – ANNOUNCEMENT

- Kassandra Timothe, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: www.northmiamifl.gov/celebrate.

HURRICANE PREPAREDNESS

- Commander Angelo M. Brinson II, Emergency Manager, North Miami Police Department provided updates.

CITY PROJECTS UPDATE

- Jeff Geimer, Capital Project Manager, provided information on how to access capital improvement projects through the City website.

CONSENT AGENDA

- TABS A THROUGH E

TAB A – PASSED - APPROVAL OF MINUTES – Regular Council Meeting – September 13, 2016

TAB B – PASSED – Resolution no. 2016-R-88 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA); AUTHORIZING THE CITY MANAGER TO EXECUTE AND TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution for the record. Motion made by Vice Mayor Desulme to approve the item and seconded by Mayor Smith. Council voted; **passed 5 - 0**.

TAB C – PASSED - Resolution no. 2016-R-89 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE MAJOR TREVOR SHINN IN RECOGNITION OF TWENTY-SEVEN (27) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – PASSED - Resolution no. 2016-R-90 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE

OFFICER MICHAEL CHIN IN RECOGNITION OF TWENTY-TWO (22) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E – PASSED - [Resolution no. 2016-R-91](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE INSTALLATION AND MAINTENANCE OF TRAFFIC CALMING DEVICES CONSISTING OF 25 MILES PER HOUR SPEED LIMIT SIGNS AND ELECTRONIC SPEED FEEDBACK SIGNS TO BE INSTALLED AND OPERATED BY THE CITY OF NORTH MIAMI AT DESIGNATED LOCATIONS THROUGHOUT THE CITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion made by Councilman Galvin to approve the consent agenda with the exception of TAB B. Seconded by Councilman Bien-Aime. Council voted; **passed unanimously**.

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

RESOLUTIONS

TAB F – [Resolution no. 2016-R-92](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED WAIVER OF PLAT FOR THE UN-PLATTED PROPERTY OF APPROXIMATELY 7.59 ACRES IN SIZE, GENERALLY LOCATED AT 13855 NW 17TH AVENUE AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2123-000-0060, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, CHAPTER 28, SECTION 28-4.1 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES AND CHAPTER 177, FLORIDA STATUTES (2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Vice Mayor Desulme to approve the item and seconded by Councilman Galvin. Council voted; **passed 5 - 0**.

TAB G - [Resolution no. 2016-R-93](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DESIGNATING A PORTION OF THE MEDIAN LOCATED EAST OF BISCAYNE BOULEVARD WITHIN THE VICINITY OF 2000 NE 135TH STREET AND 2600 NE 135TH STREET (APPROXIMATELY 0.6 OF A MILE IN LENGTH AS ILLUSTRATED IN THE ATTACHED MAP) AS A ‘PASSIVE PARK’; AUTHORIZING THE CITY MANAGER TO DO

ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Bien-Aime to approve the item and seconded by Councilman Galvin. Council voted; **passed 4 - 1**. Vice Mayor Desulme voted no.

TAB H - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE CITY OF NORTH MIAMI, FLORIDA AND THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO IMPLEMENT AND FULFILL THE OBLIGATIONS OF THE CITY OF NORTH MIAMI AS PROVIDED THEREIN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Removed from the agenda.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING – NONE

TAB I – [Ordinance no. 1401](#) - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,445,000.00 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO REFUND A PRIOR LOAN, AS DESCRIBED HEREIN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Mayor Joseph to approve the item and seconded by Councilwoman Keys. Council voted by roll call; **passed 5 - 0**.

TAB J – [Ordinance no. 1402](#) - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 11 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LICENSES AND BUSINESS REGULATIONS” UNDER ARTICLE II, ENTITLED “LOCAL BUSINESS TAXES,” BY SPECIFICALLY AMENDING SECTION 11-33, ENTITLED “EVIDENCE OF DOING BUSINESS, FEE SCHEDULE”, TO DELINEATE THE USE OF SIGNS,

NEWSPAPERS, MAGAZINES OR OTHER ADVERTISEMENTS AS EVIDENCE OF CONDUCTING A BUSINESS AS ADVERTISED, AND LIMITING SUCH EVIDENCE SOLELY FOR THE PURPOSE OF ESTABLISHING COMPLIANCE WITH THE REQUIREMENTS OF A BUSINESS TAX RECEIPT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Councilman Galvin to approve the item. Seconded by Mayor Joseph. Council voted by roll call; **passed 5 - 0.**

TAB K – Ordinance no. 1403 - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, BY REPEALING AND REPLACING ARTICLE VI, ENTITLED “CODE OF ETHICS”, DIVISION 3, ENTITLED “LOBBYING”, SPECIFICALLY SECTION 2-401, ENTITLED “REGISTRATION”; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the ordinance title for the record. Motion made by Councilwoman Keys to approve the item and seconded by Councilman Galvin. Council voted by roll call; **passed 5 - 0.**

TAB L – Ordinance no. 1404 - PROPOSED ORDINANCE (SECOND READING) ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7, ENTITLED “FINANCE”, ARTICLE III, ENTITLED “PROCUREMENT CODE”, DIVISION 3, ENTITLED “SOURCE SELECTION AND CONTRACT FORMATION”, SPECIFICALLY AT SECTION 7-140, ENTITLED “OPENING PROCEDURE” OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Mayor Joseph to approve the item and seconded by Councilman Bien-Aime. Council voted by roll call; **passed 5 - 0.**

TAB M - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, AT ARTICLE 5, DIVISION 6, ENTITLED “BOATS, DOCKS, SEAWALLS, ETC.”, SPECIFICALLY AT SECTION 5-601, ENTITLED “BOATS” AND SECTION 5-602, ENTITLED “DOCKS”, TO ALLOW THE PLACEMENT OF BOATS ON LIFTS THROUGHOUT THE CITY WITH CONDITIONS; REQUIRING AN ADMINISTRATIVE VARIANCE PRIOR TO CONSTRUCTION OF A BOAT LIFT; AND LIMITING THE EXTENSION INTO WATERWAYS OR CANALS FROM TWENTY (20) PERCENT TO A MAXIMUM OF TWENTY-FIVE (25) PERCENT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Councilwoman Keys to approve the item seconded by Councilman Galvin. Council voted by roll call; **passed 5 - 0**.

QUASI-JUDICIAL ITEM(S) – NONE

REQUESTS-PETITIONS-COMMUNICATIONS - NONE

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Reported:

Vice Mayor Desulme
Councilman Bien-Aime

No Reports

Mayor Joseph
Councilman Galvin
Councilwoman Keys

CITY CLERK'S REPORT

- Reported

CITY ATTORNEY'S REPORT – NONE

CITY MANAGER'S REPORT – NONE

ADJOURNMENT

- Meeting adjourned at 9:40 pm.