

**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 COUNCIL MEETING

TUESDAY, DECEMBER 08, 2015  
7:00 PM

**1. CALL TO ORDER / ROLL CALL OF MEMBERS**

**2. PLEDGE OF ALLEGIANCE**

(COPS Sgt. Kessler Brooks, North Miami Police Department)

**3. INVOCATION**

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(S)**

- ◆ Certificate of Recognition presented to *AIDS Healthcare Foundation* in honor of World AIDS Day
- ◆ Certificate of Recognition presented to *Sew'n Sew Quilters and Crochet Group*
- ◆ Certificate of Recognition presented to *MANIFEZT Foundation*

**6. CITY EVENTS – ANNOUNCEMENT**

**7. CITY PROJECTS UPDATE – [NONE]**

**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 F 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 F BE ADOPTED...”*

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – November 24, 2015

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER, INTERIM CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND TO EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL’S RECESS COMMENCING DECEMBER 9, 2015 THROUGH JANUARY 11, 2016; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Arthur H. Sorey, Interim City Manager*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE TD CHARITABLE FOUNDATION TO SECURE A GRANT FROM THE 2015 HOUSING FOR EVERYONE GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff*

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE CITY’S FISCAL YEAR 2016-2017 LEGISLATIVE FUNDING AND COMMUNITY BUDGET REQUESTS, WHICH ARE TO BE PRESENTED TO THE CITY’S STATE REPRESENTATIVES FOR THEIR CONSIDERATION DURING THE 2016 FLORIDA LEGISLATIVE SESSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff*

**[TAB E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO TAKE ALL LEGAL ACTION NECESSARY, INCLUDING INITIATING ANY AND ALL LITIGATION, IN LAW OR IN EQUITY, TO ABATE THE PUBLIC NUISANCE EXISTING AT THE PROPERTIES LOCATED AT: 12351 NW 7 AVENUE, 635 NW 123 STREET AND 645 NW 123 STREET AND TO FORECLOSE ON ANY LIENS ATTACHED TO THE SUBJECT PROPERTIES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB F]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CREATING THE “DOWNTOWN ACTION PLAN ADVISORY COMMITTEE”; PROVIDING FOR THE PURPOSE, MEMBERSHIP, TERMS, AND DUTIES OF THE COMMITTEE; AND ADOPTING THE BYLAWS OF THE DOWNTOWN ACTION PLAN ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Mayor Smith Joseph, D.O., Pharm.D.*

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

**10. A. RESOLUTIONS**

**[TAB G]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING, SUBSTANTIALLY IN THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND VICTORY FOR YOUTH CORP. D/B/A SHARE YOUR HEART, TO PROVIDE CHAPLAIN SERVICES TO DISTRESSED FAMILIES IN THE CITY OF NORTH MIAMI PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Mayor Smith Joseph, D.O., Pharm.D.*

**[TAB H]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE PURCHASE ORDERS ON AN AS-NEEDED BASIS, FOR THE PURCHASE OF TIRES AND RELATED SERVICES FOR CITY FLEET VEHICLES, IN THE AGGREGATE AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) PER YEAR FROM TWO (2) COMPETITIVELY SELECTED VENDORS (MIAMI TIRESOLES, INC., AND GOODYEAR AUTO SERVICE CENTER), TO PIGGYBACK THE COMPETITIVE AWARDS ISSUED BY THE FLORIDA SHERIFFS ASSOCIATION UNDER THE INVITATION TO BID TIRES AND RELATED SERVICES BID NUMBER 15/17-07-0220; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Alberto Destrade, Purchasing Director*

**[TAB I]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE PURCHASE ORDERS FOR A ONE (1) YEAR PERIOD IN THE AMOUNT OF THREE HUNDRED SIX THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS AND TWENTY CENTS (\$306,259.20) TO LHOIST NORTH AMERICA OF ALABAMA, LLC, FOR THE PURCHASE, DELIVERY AND DISCHARGE OF QUICKLIME, AS REQUIRED FOR THE OPERATIONS OF THE WINSON WATER TREATMENT PLANT, PIGGYBACKING THE CITY OF TAMARAC, FLORIDA, AGREEMENT UNDER INVITATION FOR BID 11-25B - FURNISH, DELIVER AND DISCHARGE OF QUICKLIME, ISSUED ON BEHALF OF THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Alberto Destrade, Purchasing Director*

**[TAB J]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF INSITUFORM TECHNOLOGIES, LLC, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO FURNISH MATERIALS, EQUIPMENT, TOOLS, MACHINERY,

SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE INSTALLATION AND REHABILITATION OF SANITARY SEWER LINING AT LOCATIONS SELECTED BY THE INTERIM CITY MANAGER OR HIS DESIGNEE; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE STATED SERVICES, IN THE AMOUNT OF ONE MILLION FIVE HUNDRED SIXTY-NINE THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS AND SIXTY CENTS (\$1,569,925.60) DURING THE TERM OF TWO HUNDRED SEVENTY (270) DAYS FROM THE CITY'S ISSUANCE OF THE NOTICE TO PROCEED, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID - SANITARY SEWER LINING & REHABILITATION (PHASE I) IFB NO. 53-09-15, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Alberto Destrade, Purchasing Director*

**[TAB K]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND AECOM TECHNICAL SERVICES, INC., TO UPDATE THE SANITARY SEWER MODEL ON BEHALF OF THE CITY, AS REQUIRED BY MIAMI-DADE COUNTY FOR ALL NEW DEVELOPMENTS THAT CONNECT TO THE CITY'S SANITARY SEWER SYSTEM, TO EVALUATE SYSTEM PERFORMANCE WITH PROPOSED DEVELOPMENT AND TO SERVE AS AN OVERALL PLANNING TOOL FOR GROWTH, PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 12-14-15 CONTINUING ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT OF ONE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED SIXTY-ONE DOLLARS (\$154,561.00), FOR A TERM OF SIX (6) MONTHS WITH AN OPTION TO RENEW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration  
Responsible Staff Person: Alberto Destrade, Purchasing Director*

**10. B. LEGISLATIVE MATTERS**

**10. B. i. ORDINANCES – SECOND READING AND PUBLIC HEARING.**

**[TAB L]**

PROPOSED ORDINANCE (**SECOND 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", BY AMENDING ARTICLE 3, DIVISION 6, ENTITLED "VARIANCES HEARD BY BOARD OF ADJUSTMENT," SPECIFICALLY AT SECTION 3-604 ENTITLED "ADMINISTRATIVE VARIANCES", AND AMENDING DIVISION 7, ENTITLED "APPEALS", SPECIFICALLY AT SECTION 3-702 ENTITLED "ADMINISTRATIVE APPEALS" TO EXTEND THE TIME REQUIRED FOR AN AGGRIEVED PARTY TO FILE A NOTICE OF APPEAL TO THE BOARD OF

ADJUSTMENT FROM THE CURRENT TEN (10) DAYS TO THIRTY (30) DAYS, AND TO SHIFT THE COST OF SUCH AN APPEAL TO THE OWNER OF THE PROPERTY SEEKING THE BENEFITS DERIVED BY THE ISSUANCE OF AN ADMINISTRATIVE VARIANCE; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: Councilman Scott Galvin*

## **[TAB M]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "ADMINISTRATION", BY AMENDING ARTICLE VI, ENTITLED "CODE OF ETHICS" AT DIVISION 1, ENTITLED "CONFLICT OF INTEREST", TO CREATE SECTION 2-318, ESTABLISHING AND IMPLEMENTING AN HONOR CODE FOR ELECTED AND APPOINTED CITY POSITIONS AND CITY EMPLOYEES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: Councilman Scott Galvin*

**10. B. ii. ORDINANCES – FIRST READING – [NONE]**

**10. C. QUASI-JUDICIAL ITEM(S) – [NONE]**

## **10. REQUESTS-PETITIONS-COMMUNICATIONS**

## **[TAB N]**

REQUEST TO AUTHORIZE EMERGENCY PROCUREMENT OF DESIGN-BUILD CONTRACT FOR REPLACEMENT OF APPROXIMATELY 400 LINEAR FEET OF FORCE MAIN AND WATER MAINS LOCATED AT NE 131<sup>ST</sup> STREET AND THE BISCAYNE CANAL.

*Sponsored by: City Administration*

*Responsible Staff Person: Alberto Destrade, Purchasing Director*

## **[TAB O]**

PROPOSAL FOR SPECIAL COUNCIL MEETING ON TUESDAY, FEBRUARY 2, 2016 DUE TO MIAMI-DADE COUNTY DAYS CONFERENCE ON FEBRUARY 9 & 10, 2016.

*Sponsored by: City Administration*

## **11. CITIZENS' FORUM**

## **12. COUNCIL REPORTS**

Mayor Smith Joseph, D.O., Pharm.D.  
Vice Mayor Carol Keys, Esq.  
Councilman Philippe Bien-Aime  
Councilman Alix Desulme  
Councilman Scott Galvin

### 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. 12145.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING MAY CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12145. HEARING IMPAIRED SHOULD DIAL 711 or 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE. ANY DECISION(S) 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, 04800SPECIFICALLY 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