

**CITY OF NORTH MIAMI
REGULAR COUNCIL MEETING
SUMMARY MINUTES
December 8, 2015**

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, December 8, 2015, beginning at 7:05 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

Mayor Joseph	Here
Councilman Galvin	Here
Vice Mayor Keys	Here
Councilman Bien-Aime	Here
Councilman Desulme	Here

PLEDGE OF ALLEGIANCE

- COPS Sgt. Kessler Brooks, Commander Angel Rivera, North Miami Police Department

INVOCATION

- Chief Leonard Burgess, North Miami Police Department

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

- TAB E – Pulled to be discussed following the consent agenda.
- A motion was made by Mayor Joseph to add TAB P to discuss the city attorney's contract and seconded by Councilman Bien-Aime. A 4/5 vote is required in order to pass; **failed 3 - 2**. Vice Mayor Keys and Councilman Galvin voted no.

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.

CITY EVENTS – ANNOUNCEMENT

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

CITY PROJECTS UPDATE - None

HURRICANE PREPAREDNESS - None

CONSENT AGENDA

- TABS A THROUGH F

TAB A – PASSED - APPROVAL OF MINUTES – November 24, 2015

TAB B – PASSED - 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.

TAB C – PASSED - 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.

TAB D – PASSED - 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.

TAB F – PASSED - 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.

Councilman Galvin moved to approve the consent agenda for Tabs A, B, C, D and F seconded by Councilman Desulme, **passed unanimously.**

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. - **Moved from the consent agenda.**

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Desulme and seconded by Councilman Bien-Aime; **passed 5-0.**

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

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Keys; **passed 5-0.**

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Desulme; **passed 5-0.**

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Desulme; **passed 5-0**.

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Desulme; **passed 5-0**.

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. A friendly amendment was made to move this item to use 100% of the enterprise funds for this project by Councilman Bien-Aime and seconded by Councilman Desulme; **passed 5-0**.

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Keys; **passed 5-0**.

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.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Keys; **passed 3-2**. Councilman Desulme and Mayor Joseph voted no.

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 131ST STREET AND THE BISCAYNE CANAL.

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Councilman Desulme and seconded by Councilman Galvin; **passed 5-0.**

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

Stephanie Thomas, Deputy City Clerk, read the Resolution title for the record. Moved for approval by Mayor Smith Joseph and seconded by Vice Mayor Keys; **passed 5-0.**

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- Mayor Joseph Reported
- Councilman Galvin Reported
- Vice Mayor Keys Reported
- Councilman Bien-Aime Reported
- Councilman Desulme Reported

CITY CLERK'S REPORT

- No reports

CITY ATTORNEY'S REPORT

- Reported

CITY MANAGER'S REPORT

- Reported

ADJOURNMENT

- Meeting adjourned at 9:15 pm.